

REPORT OF PROCEEDINGS OF TYNWALD COURT (DEBATES AND OTHER MATTERS)

**Douglas, Tuesday, 17th June 2003
at 10.30 a.m.**

Present:

The President of Tynwald (the Hon. N Q Cringle).

In the Council: The Attorney-General (Mr W J H Corlett QC), Hon. C M Christian, Hon. P M Crowe, Mr D F K Delaney, Mr D J Gelling CBE, Mr J R Kniveton, Mr E G Lowey and Mr L I Singer, with Mr P Lo Bao, Acting Clerk of the Council.

In the Keys: The Speaker (the Hon. J A Brown) (Castletown); Mr D M Anderson (Glenfaba); Hon. A R Bell and Mrs A V Craine (Ramsey); Mrs H Hannan (Peel); Hon. S C Rodan (Garff); Mr P Karran, Hon. R K Corkill and Mr A J Earnshaw (Onchan); Mr G M Quayle (Middle); Mr J R Houghton and Mr R W Henderson (Douglas North); Hon. D C Cretney and Mr A C Duggan (Douglas South); Hon. R P Braidwood and Mrs B J Cannell (Douglas East); Hon. J P Shimmin (Douglas West); Capt. A C Douglas (Malew and Santon); Hon. J Rimington and Mr P A Gawne (Rushen); with Mrs M Cullen, Deputy Clerk of Tynwald.

The Chaplain of the House of Keys took the prayers.

Items Considered

Apologies for Absence	T1056
Bills for Signature	T1056
Supplementary Order Papers	T1056
Papers Laid before the Court	T1056
Definite Matter of Urgent Public Importance – Leave to Move Granted – Ballasalla Sub-Post Office – Extension of Select Committee into Castletown Sub-Post Office – Debate Commenced	T1057
Definite Matter of Urgent Public Importance – Ballasalla Sub-Post Office – Debate Continued	T1061
Definite Matter of Urgent Public Importance – Ballasalla Sub-Post Office – Debate Adjourned	T1067
Residence Act 2001 – Statement by the Chief Minister	T1068
Construction of Auldyn Infant School – Expenditure Approved	T1068
Planned Maintenance of Housing Stock – Expenditure Approved	T1070
Proposed Housing Refurbishment/Replacement at Janet's Corner, Castletown – Expenditure Approved	T1072
Proposed Housing Refurbishment, Jurby – Expenditure Approved	T1073
Announcement of Royal Assent	T1074
Department of Health Report on Consultation on Ramsey and District Cottage Hospital – Motion Carried	T1075

Apologies for Absence

The President: Now, hon. members, we have apologies for absence from the hon. member for Michael, Mr Cannan, the hon. member for Rushen, Mr Gill, the hon. member for Douglas West, Mr Downie and the hon. member of Council, Mr Waft, who are attending the CPA 34th British Isles and Mediterranean Region Conference, accompanied by the Clerk of Tynwald.

In addition, I have apologies from the hon. member for Ayre, Mr Quine, to whom, hon. members, we send our best wishes for a full and complete recovery (**Members:** Hear, hear.). I understand he has had his operation and is out and in the ward.

Two Members: Hear, hear.

Bills for Signature

The President: Hon. members, we have three Bills for signature: the Matrimonial Proceedings Bill 2003, the Enquiries (Evidence) Bill 2003 and the International Criminal Court Bill 2003.

The Enquiries (Evidence) Bill and the International Court Bill were not returned from the Lord Chancellor's Office in time to be included on the order paper, but standing order 2.2(4)(b) allows me, provided that you are content, to bring them before you for signing. Are you content, hon. members? (**Members:** Agreed.)

If you are agreeable, we will continue with our business whilst those three Bills are being signed, hon. members. Agreed?

Members: Agreed.

Supplementary Order Papers

The President: Now, hon. members, we also have three supplementary order papers before us.

The first refers to an additional report laid before the Court. Under standing order 10.9 as it now stands, papers must be noted on the order paper and circulated 14 days before the sitting in question, unless, with the consent of the Court, the President directs otherwise.

This report is the basis for item 9 on our order paper. The motion at item 9 was delivered to the Clerk of Tynwald's Office within the prescribed timescale, but the report arrived a little later. I am content in the circumstances to direct that this report should be formally laid today.

Supplementary Order Paper No. 2 refers to a 'laid before' item which was omitted in error from the order paper, relevant to the Post Office.

Subject, hon. members, to your consent, I am content that these items should be formally laid. May I take it that you are all in agreement? Agreed, hon. members? (**Members:** Agreed.)

We will consider Supplementary Order Paper No. 3 at the end of business of the main order paper.

Papers Laid before the Court

The President: Hon. members, I call upon the Deputy Clerk to lay papers, including the Supplementary Order Papers Nos. 1 and 2.

The Deputy Clerk: I lay before the Court:

Social Security Act 2000 –

Child Benefit (Tax Credits Act 2002) (Application) (Amendment) Order 2003 [SD No 351/03]

Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 4) Order 2003 [SD No 352/03]

Social Security Legislation (Application) (No. 10) Order 2003 [SD No 353/03]

Social Security Legislation (Application) (No. 11) Order 2003 [SD No 354/03]

Social Security Legislation (Application) (No. 12) Order 2003 [SD No 355/03]

Social Security Legislation (Application) (No. 13) Order 2003 [SD No 356/03]

Social Security Legislation (Application) (No. 14) Order 2003 [SD No 357/03]

Social Security Contributions and Benefits Act 1992 –

Income Support (General) (Isle of Man) (Amendment) (No. 4) Regulations 2003 [SD No 358/03]

Pension Schemes Act 1995 –

Pension Scheme Legislation (Application) (No. 3) Order 2003 [SD No 359/03]

Road Traffic (International Agreements) Act 1974 –

Road Traffic (European Agreement) (Crews of Vehicles Engaged in International Road Transport) Order 2003 [SD No 365/03]

Customs and Excise Act 1986 –

Excise Duties Order 2003 [SD No 224/03]

Value Added Tax Act 1996 –

Value Added Tax (Increase of Registration Limits) Order 2003 [SD No 225/03]

Value Added Tax (Supply of Services) (Amendment) Order 2003 [SD No 227/03]
Value Added Tax Act 1996 (Amendment) Order 2003 [SD No 229/03]
Value Added Tax Act 1996 (Special Accounting Scheme) (Amendment) Order 2003 [SD No 264/03]

Betting Act 1970 –
Betting Act 1970 (Amendment) Order 2003 [SD No 265/03]

Financial Supervision Act 1988 –
Financial Supervision (Experienced Investor Fund) (Exemption) (Amendment) (No. 2) Order 2003 [SD No 347/03]

Jury Act 1980 –
Jurors Order 2003 [SD No 60/03]

Jurors (Supplementary Payments) Scheme 2003 –
Jurors (Supplementary Payments) Scheme 2003 [GC No 3/03]

Farm and Horticultural Improvement (Amendment) Scheme 2003 –
Farm and Horticultural Improvement (Amendment) Scheme 2003 [GC No 21/03]

Reports –
Report of the Department of Local Government and the Environment on Charges for Waste Disposal.
Report of the Department of Health and Social Security on the Outcome of the Public Consultation Process on the Policy for Ramsey and District Cottage Hospital.

Limited Liability Companies Act 1996 –
Limited Liability Companies (Registered Agents' Qualifications) Regulations 2003 [SD No 373/03]

Value Added Tax Act 1996 –
Value Added Tax (Amendment) (No. 3) Regulations 2003 [SD No 290/03]

Bank Holidays Act 1989 –
Bank Holidays (2004) Order 2003 [SD No 366/03]

Post Office Act 1993 –
Post Office (Inland Post) (Amendment No. 2) Scheme 2003 [SD No 316/03]

Post Office (Overseas Letter Post) (Amendment) Scheme 2003 [SD No 317/03]

Air Navigation (No. 2) Order 1995 –
Air Navigation (Restriction of Flying) (Emergency Evacuation) Regulations 2003 [SD No 361/03]
Air Navigation (Restriction of Flying) (Exhibition of Flying) Regulations 2003 [SD No 362/03]
Air Navigation (Restriction of Flying) (Tynwald Day) Regulations 2003 [SD No 363/03]
Air Navigation (Restriction of Flying) (Exhibition of Flying) (No. 2) Regulations 2003 [SD No 364/03]
Air Navigation (Restriction of Flying) (Exhibition of Flying) (No. 3) Regulations 2003 [SD No 400/03]

Questions were taken at this point and concluded at 12.22 p.m. They are published separately.

Definite Matter of Urgent Public Importance – Leave to Move Granted – Ballasalla Sub-Post Office – Extension of Select Committee into Castletown Sub-Post Office – Debate Commenced

Mr Houghton to move:

- (1) That Tynwald extends the terms of reference of the Select Committee into Castletown Post Office to further include an investigation of the recent announcement by the Post Office of its intention to relocate the Ballasalla Post Office and produce its findings in a joint report; and*
- (2) that the Post Office be instructed to put on hold its intention to relocate the existing premises or finalise the appointment of a new sub-postmaster until the select committee has reported.*

The President: So, hon. members, we have before us a motion concerning a matter of urgent public importance. I understand it has been circulated to members. It is to be moved under standing order 2.8 and a copy of the motion, I think, has been circulated.

For this matter to proceed, it is necessary that four members rise in support of it, so along with Mr Houghton . . .

Several members stood in their places.

The President: That is fine, hon. members. Accepting that members do wish to treat this matter as a matter of urgent public importance, under standing order 2.8, I call on the hon. member Mr Houghton to move.

Mr Houghton: Thank you, Mr President. I beg to move, under standing order 2.8, that the motion as set out in my name and as circulated among those hon. members today, be so moved, sir.

Mr Singer: I beg to second.

Mr Henderson: I beg to second, sir.

The President: Seconded by the hon. member of Council, Mr Singer.

Mrs Christian: Mr President, point of order. May we have this resolution circulated? I think some members are not in possession of it.

The President: I understand . . . Has any other member, other than Mrs Christian, not received a copy? Mr Kniveton, Mr Bell – right, in that case, hon. members, I will read the motion which is before the Court, but if members will make sure that everybody has sight of a motion.

Mr Houghton is to move – it was circulated yesterday, in my understanding – ‘(1) that Tynwald extends the terms of reference of the Select Committee into Castletown Post Office to further include an investigation of the recent announcement by the Post Office of its intention to relocate the Ballasalla Post Office and produce its findings in a joint report; and (2) that the Post Office be instructed to put on hold its intention to relocate the existing premises or finalise the appointment of a new sub-postmaster until the select committee has reported.’

Now, Mr Houghton, would you care to move again, sir.

Mr Houghton: Thank you, Mr President. Mr President, I am indebted to all hon. members for allowing this matter to come forward as an urgent motion to this hon. Court today, sir.

I have tabled this motion against a background of serious public concern regarding the recent announcement of the Post Office to relocate the post office in Ballasalla from its existing prominent location on Douglas Road to Ye Olde Bakery store on Main Road.

This, coming close on the heels of the post office relocation in Castletown, which is subject of an ongoing select committee of Tynwald, does, I believe, need to be examined with the closest scrutiny. I know my hon. colleague for Malew and Santon shares my concern, sir.

It is common knowledge that the contract between the Post Office and its sub-postmasters in an onerous one. Indeed, some existing sub-postmasters of long-

standing refuse to sign it. It gives most of the control to the Post Office.

In general terms, I have no objection to that as the Post Office obviously must be able to ensure continuity of public service.

Mr President, please allow me to voice my specific concerns in this area. Mrs Davenport has been sub-postmaster in Ballasalla since September 2000. In view of the almost non-existent holiday relief cover, contrary to what was promised at interview, and the fact that she has a young family, she decided in February 2003 to give notice of her intention to resign from her position.

Mrs Davenport has given excellent service during her tenure, as can be verified by talking to any of her customers. Quite voluntarily, she opens some 30 minutes earlier on both Tuesdays and Fridays in order to accommodate the needs of the customers on those days, who of course are mothers receiving child benefit and pensioners.

The Chairman of the Post Office is on record at the Castletown Select Committee as saying that three months’ notice is insufficient time to find a replacement. It was for this reason that Mrs Davenport initially offered a full five months’ notice, which, within little over a month, anticipating a potential problem with finding a successor, she extended indefinitely to accommodate the Post Office – and the customers and the continuity – in finding a suitable successor to take over the post office in its existing location which would be to the benefit of all its customers.

It should be placed on record that all sub-postmasters pay a premium when they take over the post office business. This premium is negotiated privately, but it amounts to around 2.5 times net salary and is payable to the outgoing sub-postmaster.

However, when the relocation of Castletown post office was announced, a dangerous precedent was set, as the outgoing sub-postmaster, Mr Morris, lost the substantial premium he paid for the business to his predecessor when his post office was relocated to the Manx Co-op.

I accept that the Chairman of the Post Office may believe the contractual notice period to be inadequate, but there are, of course, two parties to this contract. It is not therefore reasonable to suppose that the other party, i.e. the sub-postmaster should be able to decide that three months is inadequate for their purposes and extend the notice period to five months or longer –

Mrs Cannell: Mr President, point of order, sir.

The President: Which is?

Mrs Cannell: I am in a dilemma, Mr President, being a member of the select committee looking into the Castletown post office scenario: we are yet to report; we are due to report in October and parts of what we are currently considering are being brought into the debate, which make me feel very uncomfortable, sir, and I would like a ruling on it.

The President: This is actually to extend the terms of reference to the select committee, if Tynwald agrees the select committee will continue to extend its terms of reference. That is my . . . Continue, Mr Houghton.

Mrs Cannell: Mr President, sir, if I just may add to that: there has been reference made to the Castletown situation, which is subject to scrutiny by a select committee, sir. (*Interjections*)

The President: Mr Houghton, continue, sir.

Mr Houghton: I thank you, Mr President. I will just reiterate, sir: I accept that the Chairman of the Post Office may believe the contractual notice period to be inadequate, but there are, of course, two parties to this contract. It is not, therefore, reasonable to suppose that the other party, i.e. the sub-postmaster, should be able to decide that three months is inadequate for their purposes and extend the notice period to five months or a longer period as is necessary, particularly when you take into account the fact that the outgoing sub-postmaster's private capital is involved in the transaction and here we are talking about a substantial sum of money.

Indeed, how many businesses are sold in three or even five months? I would suggest that the majority of businesses can take a good deal longer to sell.

In accepting this argument, it is not therefore reasonable to allow a sub-postmaster whatever notice period they are comfortable with, in disposing of their business and finding a suitable successor, providing they are prepared to continue to provide a high level of service to the Post Office and its customers in the meantime.

Indeed, which sub-postmaster in their minds would happily walk away from an investment of many thousands of pounds of their hard earned cash and effectively hand it to another party in another location without receiving any payment?

Make no mistake, this is exactly what happened in Castletown and what will happen in Ballasalla if this proposal of the Post Office is allowed to proceed unchallenged.

It must also be borne in mind that a replacement sub-postmaster cannot be sought until the resignation is placed on the table and the clock starts ticking. This in itself puts undue pressure on the outgoing sub-postmaster, causing a great deal of stress as the three-month period reaches an end and it becomes evident that nobody is available to take over the position. Indeed, the sub-postmaster is not even permitted to advertise the vacancy following his resignation.

This dreadful situation has ramifications for every sub-postmaster on the Isle of Man, the majority of whom now live in fear of having a Castletown or Ballasalla scenario done to them.

Mrs Davenport wrote to the Chief Executive of the Post Office on 17th March, offering to extend her period of notice as required. She has, to date, not

received a reply which one could remotely call as acceptable.

Mr President, any contract which carries with it such onerous terms should be treated with caution. This is especially so with the contract between the Post Office and sub-postmasters, especially when you bear in mind the fact that it is usual not to have it presented for signature until the sub-postmaster has been in post for four months or even longer and is not exchanged at the time when other businesses exchange, via an advocate, as is the usual circumstances for matters of this nature.

That this is a contract imposed by a statutory board of Tynwald, should give every member cause for great concern. Hon. members may not be aware of the situation in Castletown. The Select Committee of Tynwald into the Relocation of Castletown Post Office has not yet reported its findings, although I do have to say that every public hearing of the select committee, without exception, has currently shown the Post Office in a very bad light.

It is for this reason that every member of this hon. Court should be greatly concerned as, in effect, the chief executive and senior management of the Post Office in proceeding in this fashion once again bringing this hon. Court into disrepute, sir.

I understand that feeling is still running high in Castletown. Feelings are also running very high in Ballasalla. Currently a petition of 401 signatures of regular customers has been presented to the Post Office. This represents in excess of 95 per cent of the regular customers of the post office in that village and there is a very sizeable majority of the electorate within the village that that number represents.

Public opinion which demonstrates such a strength of feeling cannot and must not be ignored. Every member of this hon. Court knows full well that our sole function is to act in the interest of the majority of the population. Failure to do so is always perceived by the public as an erosion of democracy and fuels the 'Why should we bother?' and 'Never listen' scenarios.

In conclusion of that, a growing number of voters, of course, do not use their right to vote in democratic elections. It is we, as members of this hon. Court who, of course, must pay the price if we dare to act contrary to public opinion.

Indeed, such is the strength of feeling on the issue of Ballasalla post office that a further petition has now been started in Clagh Vane Estate. So incensed are customers of the post office that their feelings are being ignored by the senior management of the Post Office.

It was too late to do anything in Castletown, save for investigating the circumstances surrounding the decision to relocate and hope that similar mistakes are not repeated in future. Once the relocation had been put into effect, it was always extremely unlikely that the process could ever be reversed.

It is definitely not too late to do anything in Ballasalla, Mr President. This matter must be fully investigated by, ideally, the appointed select

committee before the matter is allowed to progress beyond the point of no return.

Mrs Davenport remains the sub-postmaster. Mr Knighton is the sub-master designate, and as such has neither been appointed nor is he under contract until his first day of service when the cash and stock are transferred to him. It is not too late to change this.

Mrs Davenport has written to you, Mr President, and that letter of course has been circulated amongst this hon. Court, to signal her willingness to continue in position and to run the post office in Ballasalla until such a time as a select committee has drawn its conclusions.

Mr President, it is worth mentioning that, as post office business in Castletown has declined since the relocation of the post office there, business in Ballasalla has increased due to the demise of Castletown over the past 12 months by at least 25 per cent.

There will be an inevitable decline in this business if the post office in Ballasalla is relocated and this is at a time when the post office is keen to attract as much extra business as possible, as well as maintaining its customer base.

In effect, its plans for relocation can only hasten the decline of core post office business in the area. As a statutory board of Tynwald, the post office should be seeking to enhance business so its actions in Ballasalla are totally contrary to its official remit.

Mr President, the hon. member for Michael, who is chairman of the Castletown select committee is not present in this hon. Court today. However, he has asked me to state clearly on his behalf, that he shares my grave concerns about this situation and will be more than happy to accept the extended terms of reference sought under this motion if it is the will of this hon. Court.

Mr President, Ballasalla post office has been in this location for over 100 years. It will come as no surprise, therefore, to learn that there is considerable affection attached to it locally and, as you have already heard, vehement opposition to its proposed relocation.

All I am asking today is that the plans of the Post Office are put on hold until evidence of the circumstances surrounding this decision can be properly examined by a select committee of this hon. Court.

Make no mistake, once a post office moves it will never return to its original location. Just ask the people of Castletown, of course, for confirmation of that.

Turning now to the proposed new premises of Ye Olde Bakery store on Main Road. This is situated on a roundabout where parking is virtually impossible and is a real health-and-safety concern for visiting post office vans. Disabled access, even if installed, will be far from ideal.

The post office counter will be located inside the store and all post office customers will have no option other than to push past customers queuing to pay for their groceries et cetera. Indeed, there are many similarities and parallels to that which has happened to the Castletown Co-op.

That these premises have been deemed acceptable by Post Office management, Mr President, beggars belief.

Turning to the financial cost, the Post Office is constantly saying that its profits are declining. It has spent several thousands of pounds on the refurbishment of Ballasalla Post Office alone, in addition to many other of its sub-post offices on the Island.

This refurbishment at Ballasalla was only completed less than six months ago. With their decision to relocate the post office, the management are now sanctioning the expenditure of even more money purely to finance the considerable cost of installing and fitting out the proposed new premises.

To summarise, there is no comparison between the current premises, which are both spacious and welcoming, as opposed to the already congested premises within an over-intensified format of trading, which currently exists in the proposed new designated premises.

Since the decision to relocate Ballasalla post office was announced last week, customers have been telephoning the Post Office headquarters and complaining directly to the chief executive and the senior management.

The official response which customers are receiving from Post Office headquarters is that Mrs Davenport brought it on herself by resigning and their hands were tied, as she is anxious to leave on 9th July and they had to act quickly.

This, Mr President, is arrogance of the highest degree. I can only assume that this official line of course was endorsed erroneously by the Chairman of the Post Office. This is completely untrue and needs a thorough investigation.

It is my contention that the Post Office has distorted the true facts once again, which I believe will only be made known by a thorough investigation by a select committee.

In conclusion, Mr President, this hon. Court must be made aware that a successful former sub-postmaster of Ballasalla, Mr Norman Chappell, who ran the office for some 12 years, between 1982 and 1994, and who still owns the building, recently applied for re-appointment as sub-postmaster at Ballasalla and was turned down, although in a letter declining his application the Post Office stated: 'The interview committee would like you to know that they feel you presented yourself in a very professional manner and gave a very confident interview.'

Mr President, a lady who is operating a similar-sized post office in Leeds and has done so for the last six years has expressed a commitment to purchasing the business in its existing location as recently as 10th June, but her application was declined by the Post Office due to it being a couple of weeks too late.

This is despite the fact that the Post Office was made aware of her continued interest prior to the closing date of applications. Acceptance of these applications alone would have obviated the need for this emergency motion, sir.

This hon. Court stands for integrity and fair play, which is extended to the departments and statutory boards and I believe it therefore incumbent upon us hon. members in this Court today to approve my motion and allow a full and in-depth investigation into the background of this matter to take place without delay, sir. Mr President, I beg to move.

The President: Now, hon. members, I think it is an appropriate time at which we took a break. We will resume our deliberations on this motion at 2.30. The first to speak will be the hon. member for Malew and Santon.

The Court adjourned at 1.02 p.m. and resumed its sitting at 2.30 p.m.

**Definite Matter of Urgent Public
Importance – Ballasalla Sub-Post Office –
Debate Continued**

The President: Hon. members, as I said before we broke for lunch, the next to speak is the hon. member for Malew and Santon. However, before I call him I should tell the hon. Court that the hon. member Mrs Cannell and the hon. member Mr Quayle, both serving members of the select committee, have decided that they will be absent from the remainder of this afternoon's debate. The hon. member Mr Braidwood will also sit the debate out as his wife could be deemed to have an interest, unlikely though that would be. I call on the hon. member for Malew and Santon.

Capt. Douglas: Thank you, Mr President. I beg to second. I wish to say a few words, sir, about this situation. It is very important that the village of Ballasalla has provision for a post office and its services. It has become a particularly busy area, with probably a thousand people working in and around Ballasalla and its environs. I conveyed this fact in a letter to the management of the Isle of Man Post Office some time ago. I was reassured that the owners of Ballasalla post office would be granted an extension to enable others to buy the interest in the post office. That seemed to sit very nicely with their offer of remaining in post until they were able to find a purchaser for the business.

The announcement last week of a new post office, so to speak, in Ballasalla was welcomed and seemed to confirm that postal services would continue uninterrupted in the village and in the area. Although my investigations show that the Post Office may have discharged its duties in an honourable manner, questions are now surfacing that require answers. I firmly believe that this hon. Court, as much as the public, is entitled to a full and accurate report on the relocation of Ballasalla post office. I have every intention of supporting the hon. member for Douglas North in his endeavours to achieve his aims. Thank you, Mr President.

The President: Hon. member Mr Gelling.

Mr Gelling: Thank you, Mr President. I rise to speak because of my concern at the general situation of post offices. I recall that a select committee or a Council of Ministers committee sat several years ago because of the threat that small post offices in the country areas of the Island were no longer viable as entities on their own. They would have to have something else, for example a small shop. It was well known at the time that the sentiment was that withdrawing those services would have a big effect on the Island's rural communities. I am not proud to say that my parish now has no service whatsoever. We have neither shop, pub nor post office; we have nothing. That has happened by the general erosion of the small shop along with the post office.

When Santon disappeared, I thought that the trade, which was very good at Santon, would go down the road to Ballasalla. Although the mover of the motion said that the problems at Castletown had probably enhanced the Ballasalla post office, I suggest that much of that enhancement would be from Santon because of its convenience. Although it served a small area, its convenient situation was such that people would call because they could pull in, do their business and go. The situation at Ballasalla seems to mirror that of Castletown. I could be wrong, because we do not know all the facts, but it is rather strange: why if the situation at Castletown warranted a select committee does the situation at Ballasalla, which mirrors that of Castletown, not warrant a select committee? I would support an independent review or inquiry into post offices and their future. However, perhaps I cannot give the mover my complete support as he seemed to be suggesting that, perhaps, the place that the Post Office has selected would not be suitable.

I do not know how that establishment would cater for the area, but I worry that, knowing that little store, it would mean that we would lose our chemist's shop to facilitate the post office. That concerns me a great deal because we have just had a big struggle to get a new community establishment with a medical centre in Ballasalla. If we are to lose the chemist's shop to accommodate the post office, I wonder where the village of Ballasalla is going. I will not say that the person who has been told that he will get the post office licence for the area is inadequate. However, I do know that there is a great deal of discontent in the village. Many people thought that it should have been somebody else as well, because there are three little shops in the village and everyone has their own little shops that they go to. Some go to all three and some to two. Therefore you can imagine the discontent in the village of Ballasalla at how the selection has been made.

I look at the Chief Minister and I think of where the post office is situated. It goes back to the Chief Minister's own family, the Corkills, (**A Member:** Hear, hear.); it was called Corkills' corner or Corkills' shop. It is where the post office has always been. People do not like change, because it means that they

have to reorganise themselves; they may go to one shop for stamps, but they may also buy stationery or bread there. That concerns me. I am inclined to support the motion because there are many things that we do not know about and the only way to get to the bottom of it is to get a select committee. It has been suggested that the remit of the existing select committee be extended to cover this. Well, there is much sense in that as many things seem to be the same for both areas. Why was it done? How was it done? Is there such a thing as an ongoing with the post office?

If there is not, why do we have these complaints? If that is the case, why do we not have a strategy on the outcome of this Post Office initiative? Will we end up with just four post offices in the Isle of Man, one in the North, one in the South, one in Douglas and one in the West, and the country areas will have nothing? I would rather have had the Post Office say: 'We need more initiative; we need more business for post offices. What can we give them to make them viable?' (**A Member:** Hear, hear) What can we do to help the small shop and the post office together? That is what we want. We want to give a service to our people; that is what is important. A select committee could come up with something to enable us, as a government of this Island, to say: 'This is the strategy for post office services for the Isle of Man, and this is how it will work in future'. As I say, I am very sorry that the chairman is not in the Court, and I too wish him a speedy recovery. (**Members:** Hear, hear.)

It is difficult to balance the situation when you do not have the other side of the equation. Mr President, I will support the motion that the select committee add this to its remit because so much of it will be very similar.

The President: Chief Minister.

Mr Corkill: Thank you, Mr President. I too am very conscious that the Chairman of the Post Office is indisposed today, so to some extent it falls upon my shoulders to put another side of the debate. The mover put the circumstances to us today, and a sorry tale they tell, I have to say, of the individuals involved. I am sure that the situation concerns all hon. members. There is another side to all these matters, of course.

I too will support the select committee. I heard of this when the hon. member for Douglas North, Mr Houghton, raised it with me when he came forward with his motion. In the interim, I asked the Post Office for copies of all the correspondence on Ballasalla post office. I have read most of it since yesterday and find that there is another side to the debate. A committee will be able to investigate that correspondence because it is important in the debate to find out whether Mrs Davenport did or did not tender her resignation. The correspondence will show how the Post Office responded and whether it regarded those comments as a resignation or not. A select committee will be able to get both sides of the debate by speaking to those involved and by looking at the correspondence. It is perhaps all the more important, in the absence of the

chairman, that an even-handed appraisal is done; and a select committee of Tynwald would be the best way to do that.

The previous member to speak, the former Chief Minister, pointed out that I have a soft spot for Ballasalla post office: my father and his four brothers were born there and I have a postcard in my scrapbook of Corkills' corner. I look at it with affection and with a great deal of nostalgia. However, you cannot run a business on nostalgia these days. Certain parallels have occurred from time to time: my uncle, who ran the business for many years, sold it and moved to the Port Erin post office because the trading climate for groceries, as it was in those days, changed and there was a better trading climate in Port Erin for other products. The sub-post offices are very much tied up with trading in other areas, and it may be that change is afoot once again. I wish to make it clear that I support a committee looking at this; however, I wish to point out to hon. members that there are two sides to the argument.

I await with interest the outcome of deliberations on the situation at Castletown, as I know that they are coming to a close. It would not take very long for the motion to be examined in the wake of the deliberations. There will be differences, but there will also be parallels; however, there will be no need to reinvent the wheel in the discussions. I hope that the committee can report quickly, because this issue does need to be resolved, not least because Isle of Man Post Office needs to know where it stands.

The hon. member of Council, Mr Gelling, asked about the future of sub-post offices on the Island. That is an issue that the Post Office is struggling with. It has been to the Council of Ministers with papers and proposals, and the Council of Ministers and the Post Office have had many meetings over the past six months. There is a public debate about the future of Isle of Man Post or Isle of Man Post Office, whichever you wish to call it –

The Speaker: Isle of Man Post Office.

Mr Corkill: – because there is a changing environment on a bigger scale outside the Island that is having a major effect on the profitability of our internal postal system. Our system is not insulated from the change driven by EU policies. We are discussing how to react to that in our Island, but we have not yet come to a conclusion. However, when we have decided on a major policy for the Isle of Man Post Office, sub-post office services in the community will flow down from that decision, not necessarily the other way round. There are papers from the Post Office on how many sub-post offices we may need on the Island, but they are effectively deferred until the strategic position of the Post Office has been worked out. Mark my words, the business structure, which has been looked at independently on more than one occasion, and the finances of Isle of Man Post Office look pretty bleak in a year or two's time. Something

will have to be done, with the support of Tynwald Court, in the not too distant future.

That debate is for another day, Mr President. I am happy to support a motion to let a select committee properly scrutinise how decisions were reached on Ballasalla post office. I hope that the committee will have access to all the correspondence that I have received and any other that it requests. Thank you.

The President: Mr Speaker.

The Speaker: Thank you, Mr President. I want to make a few points on the motion and the issue. It is interesting that the hon. member of Council, Mr Gelling, felt that there was a need to examine the whole post office and sub-post office network. The motion that I put to Tynwald Court originally for setting up the select committee said that very thing. Tynwald Court agreed to an amendment to look only at Castletown. The problem is that no one is really sure what they want to do with the post office. There are mixed messages flying about. The Chief Minister has just said that the debate is for another day. I hope that when that other day comes we do not find that we have no network left, because that is the danger of this gradual dismemberment of our network.

Somebody needs to make a decision – that is the only way that it will survive. The Isle of Man government, like some of the EU countries, will have to provide grant assistance to post offices so that we can retain on-Island services for our communities. There is no other way that you can do it. The Isle of Man government is removing a great deal of Post Office business by allowing it to go to the banks (**A Member:** Hear, hear.). I know why that is happening and I am not trying to cause a problem; however, decisions can be made.

We need a change of philosophy. We have been hearing for some time from government that we should be more businesslike. My view is that we should be more servicelike. (**A Member:** Hear, hear.) We need effective and efficient services; we do not need businesses. The Isle of Man government is here to provide services for its people, and in doing that you make them effective and efficient. The problem in the Post Office, certainly from the evidence I have heard in the public sittings of the select committee, is that it has given up. It has said: 'The network is going, and there is not much we can do about it'. How on earth will you ever get anybody to invest in that business? How do you encourage anybody to become a sub-postmaster if your employers are saying publicly – and rightly publicly – 'We do not see a future.' Well, someone has to find a future for us or we will end up with a situation like that of the parish of the hon. member of Council, Mr Gelling, which has lost everything. There is hope for him: there are plenty of places in Castletown, Mr Gelling, and we are very happy to welcome the people from your parish.

There are pressures on all communities throughout the Island, not just in the post office but in other government services; they are being looked at as

businesses and therefore are seen as a way of saving a few thousand pounds here and there. We should be asking: 'How do we service our communities properly?' The Isle of Man is made up of many separate communities; it is not one central body based in Douglas, and the sooner that attitude is brought to bear the better.

Mr President, I have no problem with the motion. However, I ask for clarity from the hon. mover on part (2), as I wonder whether it is realistic. It says: 'That the post office be instructed to put on hold its intention to relocate the existing premises or finalise the appointment of a new sub-postmaster until the select committee has reported'. Is that realistic? Can he tell us that no contracts have been signed and that no commitments have been given? Would it be realistic for Tynwald to approve that? If not, we should know, because there is no point in supporting part (2). I have no problem with part (1), but I do think that is an important issue.

Whatever happens here, Mr President, we should be looking at what we need for an on-Island post office service. Then we should look at what we need to meet our obligations for the off-Island postal service. They are two totally different issues, and that is what we must see to make it work. I support the motion, subject to the mover clarifying part (2).

The President: Hon. member of Council, Mr Lowey.

Mr Lowey: Thank you, Mr President. I too speak as a local, and, yes, it is still regarded as Corkills' corner. I have two things to say. First, we have had a quality service from the post office for 61 years; that is about as far as I can remember. I was four or five when I arrived in Ballasalla and we have always had a quality service.

Perhaps the prospects of the post office in this instance are not as bleak as the Chief Minister says. Ballasalla and Malew is a growth area; it is near an airport; it has industrial growth, and it will have more business. Albeit that the southern sorting office, the headquarters for the southern area, are less than a mile away at the airport. The proposal is to move this operation from Corkills' corner a hundred yards up the road. The owners of the three shops are personal friends of mine, as they are of the other members – the member for Malew and Santon and the former Chief Minister. However, this is not merely on a personal level: all three shops offer a service. I am concerned that the new doctors' surgery and the police station being midway between the two could be in jeopardy with the loss of the chemist's shop – which I fought for years for. That said, I do not want to confuse the issue.

None of us likes change, and if you are going to have change you must be able to justify it. In my view, there has been no justification for the move other than a regulation that said – if I am picking up the information correctly – that there is a deadline and you are too late, the deadline has passed. Well, since we set the deadline in the first place I see no difficulty in

moving it to get the right result. I share the Speaker's view that the Post Office is not just about money; it is about the quality of life that we give to the people. The post office is an integral part of rural life.

I agree that we have to adapt and change and put machines in and do things that perhaps we could not have done 60 years ago. However, I picked up from my local commissioners the fear – and I use the word 'fear' – that we might lose the post office so we will have to agree to it. That is in line with what the Speaker asks: how do you engender in those who are in the post office now a co-operative approach to our common problems if there is a fear that if they step out of line they will be taken out of the equation? To an uncanny degree the position mirrors what went on in Castletown. The charges that were levelled then against the Isle of Man Post Office were that it was intransigent and unbending with a trace of arrogance. I see a trace of those three things in this situation.

It is in the interests of all of us and it is a happy coincidence that – I use the word 'happy' in quotation marks – a select committee is looking at this problem. It would be very wise if the Court agreed that it should extend its remit to include this and to discuss them both at the same time. I will be supporting the motion.

The President: Hon. member Mr Shimmin.

Mr Shimmin: I do not wish to prolong the debate, but occasionally there needs to be a voice of opposition to the motion. We have heard the mover of the motion and most of those who have a vested interest in that locality. However, I do not believe that this is a matter of urgent public importance sufficient to justify the mechanism that we have used today. I remember the last time we debated this at the setting up of the select committee for Castletown, the hon. member of Council, Mr Delaney, warned us, quite rightly, that any time there was any change in sub-postmasters we would again be debating it in the chamber. As soon as anything affects local areas we know that we have a precedent for putting it down as a matter of urgent public importance and getting it on the order paper.

The former Chief Minister refers to looking at the network. He may remember that in my time as Chairman of the Post Office, and the Speaker will remember, that the Post Office years ago attempted to do just that so that there would be a viable long-term future for the post office network. For years, we have been interfering in the operation of the Post Office politically, not merely to make it a profit-making business, but to make it viable for the communities that it serves.

My department is actively working with the Post Office in order to do what some hon. members have talked about. We want to introduce new business to the sub-post office network so that the public has greater access to opportunities; so that post offices have more business, and so that staff can be freed up for the corporate core business of the Isle of Man government. We know that the Post office can offer services and

that it can and does get extended where possible. However, underlying all debate on sub-post offices, which have been continually the political hang-up, is the long-term viability of the Isle of Man Post Office. The core business is on mails network and the franchisees, or the offices that are working with the Post Office as a sub-post office network, have always been politically high profile, but as people's habits have changed they are no longer supported by many of the communities that they serve. I put on record that one of my saddest moments was when Santon post office, which had one of the most outstanding sub-post mistresses on the Island, was unable to continue and no one else wanted to take *it over*.

Shore Road in Ramsey was another one. Members of Tynwald want us to jump through hoops to find somebody to maintain local public interest for an area that people were no longer choosing to use. We can continue to evaluate what has gone on, but we, the Court of Tynwald, appoint a committee, a board and a Chairman of the Post Office to run it on our behalf. I regret that Mr Quine is not here to defend the position of the Post Office, but when I moved the amendment at the previous sitting I had the support of the Chairman of the Post Office to go down that route. I am fearful of the effect it will have on the board of the Post Office to find, once again, that a decision it has supported its management in is being brought into question on the floor of Tynwald. We are showing, once again, that we have no confidence in them. I spent two and a half happy years in the Post Office and am more aware than most of the problems there. The Post Office is trying to grapple with the difficulties that are thrown up through a change in circumstances.

I am sure that the Court will see that having had the support of the Chief Minister, this is not a whip of the Council of Ministers. This is my view based on years of working with the Post Office. It is a genuine – and I will defy anybody who tries to contradict it – attempt to support employment in the Post Office and to support the network for Island communities. We can invest money all the time in these networks and instead of being a net contributor to the government, we will find that the Post Office will be there to supply a service and it will cost government. That is fine – if that is what Tynwald wants. For years the Isle of Man Post Office has been saying, 'Fine, tell us that. Do not expect us to be one thing or the other. If you want to subsidise year-on-year increasingly the Isle of Man Post Office to supply facilities for the community, that is political.' That is what they are looking at at the moment; that is what the Council of Ministers is grappling with. That is fine. For years the Isle of Man Post Office has been looking for clarity in what is expected of it.

I strongly believe that the motion will be carried today, and that will be a mistake. However, I understand that it is because we all have networks in our own area and we are concerned about the effect of post office closures, particularly in rural areas but also in Douglas. Business has changed and shopping habits have changed, but the post office network has not. We

need to deal with that, but we are not going to deal with it today. If the Court wishes to put this to the select committee, the Chief Minister has already said it should not take long.

I welcome the Speaker's comment on the second part of the motion, as I do not know whether the Court could support it contractually. I certainly would like to have clarification on it. If it does not cause contractual problems the Court is free to support it. However, once again we are interfering with the board of the Post Office and its management as they try to carry out their functions. Until we make it clear what we expect of them we will be back here in six months' time or a year's time to deal with the next sub-post office under threat.

The President: Hon. member for Peel, Mrs Hannan.

Mrs Hannan: Thank you, Eaghtyrane. I followed the member's comments; he was concerned that this issue has come before Tynwald. I have to say that this is a political issue and the politics of the Post Office are there to be seen. (**A Member:** Hear, hear.) The Post Office Authority is answerable to this hon. Court, whether it likes it or not. I accept that the appointment of the committee is by the Council of Ministers, but there is legislation in place; the board is answerable to this hon. Court and it should consider that its decisions can and will be criticised by this hon. Court.

I am sorry that the Post Office's attitude has been so negative because it is not someone's organisation; it is our organisation. We should expect the officers who run the board to communicate. Not only here but in other jurisdictions politicians make decisions and do not communicate with anyone else. (**A Member:** Hear, hear.) and I daresay I have been responsible for that in my time. However, we need to look at how we communicate with people who are affected every day. We must treat them as individuals, as people, who use the Post Office. That has not happened in the past. There has not been consultation; there has not been the understanding that the Post Office is answerable to Tynwald.

The Post Office is not an organisation run by and for its own people. We have to get more democracy into the areas in which we operate, whether a department of government, a board or a statutory body. This is the right place. If we can say, 'Put this on hold until the committee reports', that is what we should be doing. Thank you, Eaghtyrane.

The President: Mr Houghton to reply.

Mr Houghton: Thank you, Mr President. I thank all the hon. contributors. It is an extremely important issue and I have taken on board all the points, whether in support or otherwise, because that is what democracy is all about.

I thank the hon. member for Malew and Santon, Capt. Douglas, for seconding this and for his supportive remarks. He and the two hon. members of

Council whose village and former constituency this particular issue is in know how things are at what I call the 'coalface'. They know exactly what is going on. I have to pay regard to the comments of the hon. member of Council, Mr Gelling. He said that customers visit this shop rather than that shop in an area and that that is their choice. There is one common denominator in that scenario: customers all attend the post office and the post office is in the central position.

Sub-postmasters were always known to be people of integrity who would never repeat the gossip that they heard. In a small thriving community like Ballasalla – and perhaps we are on to morals again – people look up to and respect the sub-postmaster as a person of integrity; they have a central function in that community. Mr Gelling expressed concern about the viability of rural post offices, as did other members this afternoon, and I support him in that. The viability of post offices will come to this hon. Court in due course, because it is another issue of very serious concern. However, other members who spoke in support of Mr Gelling stated that they do not want to see changes that cannot be undone. They do not want post offices put into places that are not as appropriate as their original positions. That, of course, cannot be recovered after this hon. Court has decided on a future strategy. That is what we are trying to prevent here, amongst other things. However, this has been rushed through to solve one problem so that we can move on to the next. That is not what this is all about.

I will go into part two of the motion shortly; however, Mrs Davenport is to be commended for saying that she will stay for as long as it takes until the matter is resolved after independent review by a select committee. I thank the hon. member of Council, Mr Gelling, for his remarks.

The hon. Chief Minister spoke next and I am very pleased to receive his support for a select committee to look into the matter. Why should there not be a proper independent investigation into what is going on? Other issues have not been aired in this hon. Court that need to be examined by a select committee, and only a select committee can do justice to both sides. There are two sides to the coin in this case. The hon. Chief Minister said that. The Post Office is saying one thing, and Mr and Mrs Davenport are saying another; I daresay that Mr Kniveton is likely to say something else. Let us find out exactly what the situation is; I feel that the hon. Court would support that.

I thank the Chief Minister for supporting us in going ahead. The committee is already up and running, and although the committee's terms of reference should be the same, it needs this hon. Court to change them so that the committee can look into Ballasalla as it has looked into Castletown.

The next member, Mr Speaker, mentioned the 'drifting dismemberment' of the network, which I had mentioned earlier, and the fact that the sub-post office network needs to retain its structure. Contrary to other beliefs, sub-postmasters are already private businessmen of post offices. That has always been the case. Post offices, as several members said, are being

run down to such an extent that they might as well be only a general goods store in a little corner in the back. If that is the case we will not be able to recover the situation and the Post Office will not be able to restructure in future to take on increased business, if, indeed, increased business can be found.

I support Mr Speaker entirely; I see exactly what he means. As a businessperson in his own constituency he understands that running a post office is exactly the same as running a sweet shop; it is exactly the same as running ICI. That is the point. I will hold back clarification of part two until the end of the debate if I may. I want to clear the other points before I go into that because it is vital that everybody understand what I am getting at in item two, and I am very happy to explain that in due course.

Mr Lowey, whom I thank for his support, was considering change and who should justify it. Should it be the Post Office unchecked or should it be the Post Office with the support of this hon. Court? I ask the hon. Court what it is here for. The Court is here to introduce change. Let us see the policies; let us amend them if necessary, and then let us introduce change. That is what we are here for; that is what I was elected to do. However, I was also elected to stand for principle. What is right is right, and what is wrong must be put right. That is another reason for thanking the hon. member, Mr Lowey, for his support. He mentioned that the Post Office was about quality of life and quality of service. That may be considered an old-fashioned principle, but it is a good one. Everybody in the debate has missed out the importance of *personal* contact; that is what people are missing out on more than ever. The *personal* contact that I had for five years in Onchan post office and for 20 years in Willaston, I will never forget. I miss it so much that my hon. colleague and I make that personal contact with our constituents once a week in the surgery. Personal contact, keeping the personal element, is what it is all about. That will be taken away if our attitude is that we could not care less about customers. That is why I support the hon. member, Mr Lowey, in his point of view.

I respect the hon. member for Douglas West, Mr Shimmin, for putting an opposite point of view very well. There has to be an alternative view, and I thank him for that. He made many good valid points. Of course, we need to debate the bigger picture, and I back him on that. However, many of the points the hon. member made on the future of Post Office business are irrelevant to the motion. The motion is trying to right a wrong before it goes too far to be corrected. That is the purpose of this emergency motion, hon. member for Douglas West. It is urgent; we must stop this before what happened to Castletown happens to Ballasalla.

I also thank the hon. member for Peel, Mrs Hannan, for her comments.

At least two hon. members mentioned part two of the motion. Part one of the motion is purely – and I think it has the concurrence of the Court – for the select committee to widen its terms of reference to

look at Ballasalla as well. There are parallels that will come out clearly. I am sure that everybody supports that. The select committee is up and running and there will not be much more for it to do to investigate the Ballasalla situation and report on it when it has finished its deliberations. I apologise for putting this extra responsibility on it, but it is important to try and keep a community post office in the right place.

I move into part two of my motion. There is a great deal of money involved here; there is a great deal of money involved in Castletown, and there is a great deal of money at stake in Ballasalla. The committee needs to examine all that, and I am willing to give that part of the evidence to the committee, which would be more appropriate than here.

Part two asks for two things. The Post Office has already announced that it wishes to transfer the post office from A to B. Secondly, the Post Office announced a new sub-postmaster designate for new premises at the Ye Olde Bakery in Main Road, Ballasalla. I want to deal first with the appointment of a sub-postmaster. When a sub-postmaster is appointed he gets a letter of promise. It tells him that on such-and-such a date – and in fact this will be after close of business on 9th July, which is the target date that the Post Office has fixed – he will be assigned a post office with the cash and stock. Until that day he has nothing to do with the post office. Let me make it absolutely clear on part two: a sub-postmaster does not become a sub-postmaster until the day he signs for his cash and stock. It is merely a promise. As I said in my speech, it is only some months after a sub-postmaster has taken over his responsibilities that he signs the post office contract. That is how the Post Office operates, and I feel that it is incorrect. There is absolutely no contractual obligation from the Post Office, other than a promise that it intends to appoint the new sub-postmaster, Mr Kniveton, to that position, until the day that he signs for the cash and stock. That is the first point.

The second point is the transfer of premises. The premises are currently leased by Mr and Mrs Davenport. The premises have a continuing lease until there is no longer a problem. Mrs Davenport made it abundantly clear time and time again – not just in writing but in telephone calls to senior management – that she was quite willing, because of the difficulties in securing a candidate, to continue *sine die* indefinitely until somebody could be appointed to the *appropriate* premises. That is where they are now, and many members have agreed that that is the case. Because there is an ongoing lease, Mrs Davenport has said that she will continue indefinitely. Therefore it is vital that this hon. Court be assured, and I am assuring it now, that post office business in Ballasalla will continue until all this has been resolved. We must be assured that there will be no danger of Ballasalla being left without a post office. That is vital for the post office, for its customers and for the credibility of this hon. Court. The Davenports will stay until this has been sorted out, so no one should have any difficulty in supporting the second part of my motion.

Having experience of the Post Office and having thoroughly investigated the matter, I am satisfied that part two of the motion can be undertaken until the committee reports and eventually an appointment is confirmed. Hon. members will see that there is a letter attached to the motion. It is addressed to the President of this hon. Court and states exactly that and signed by the sub-postmaster, Mrs Davenport. She is willing to stay. The new postmaster designate does not need to be contractually obliged to take over post office business on that date. It does not need to happen. Mr President, I beg to move. Thank you.

The President: Hon. member of Council, Mrs Crowe.

Mrs Crowe: Mr President, can we have a note of clarification? I have listened to the hon. member for Douglas North, Mr Houghton, and we would, I am sure, be swayed by his argument. However, I still have some difficulties with part two –

The President: Hon member, every hon. member may or may not have difficulties. The responsibility lies with the hon. members. We are not going to rehash the debate; we cannot do that. I am prepared, and it is my intention, to put the motion in two parts. Mr Speaker mentioned that originally, as did the hon. member for Douglas West, Mr Shimmin. Therefore it is my intention to put the motion to you in two parts, hon. members. If you are clear on that, Mr Speaker.

The Speaker: Yes. However, before you do so, Mr President, I do have a difficulty and I think other members do. It is vital that we know that – and it is fundamental even to putting the motion in two parts – whether any form of contract exists between the Post Office and the potential owner. If there is no contract in place, it is straightforward.

The President: I certainly have no knowledge other than what you have heard this afternoon on the floor of this Court in exactly the same manner. Hon. members, I understand that that is the position at present. The law on contract, I am sure, will be argued in a place other than here. The decision that we have to make is whether or not you approve the two parts of this motion this afternoon. You have to make the decision, hon. members. I put to you –

Mr Delaney: Mr President, I am sorry to delay, but we have the Chief Executive of the Post Office in the Court. Is it not possible to ask the chief executive to appear at the bar to tell us whether there is a contract in place?

The Speaker: I move that under standing order 10.14 the chief executive be brought to the bar to answer that very question.

A Member: I rise to second.

The President: Which standing order are you using, Mr Speaker?

The Speaker: Standing order 10.14.

The President: Hon. members, I think it is appropriate that the Court recess until twenty-five minutes to four. Hon. members, we will take a short break. Thank you, hon. members.

The Court adjourned at 3.28 p.m. and resumed its sitting at 3.35 p.m.

Definite Matter of Urgent Public Importance – Ballasalla Sub-Post Office – Debate Adjourned

The President: Please be seated, hon. members. Hon. members, I am well aware of the concerns that have been expressed by members since the winding up of the debate. I am intent that that we should move as correctly in procedure as we possibly can and I am aware of the standing order that permits the summoning of a witness. We have taken advice, hon. members, on this position and I want to make it plain that Mr Collister is perfectly prepared to make his comment if he is summoned to the bar of this Court at the present time. I propose, hon. members, with your agreement, which I anticipate, to hold this matter over until the morning; we will deal with it first thing in the morning when Mr Collister can notify his board. He is the chief executive of a board and he can notify it and take such advice as is necessary. In that case, I propose at this stage not to call the vote. I want to make it perfectly plain that we stand exactly where we are; that the debate has taken place, and that it will be put in two parts to the Court. However, we will call Mr Collister to the bar as a witness in the morning. Mr Attorney, I do not know whether you wish to add to that in any regard.

The Attorney-General: Thank you, Mr President. I have no comment to make. I think that would be very sensible.

The President: Okay. That, hon. members, is the way in which we will deal with it. I thank Mr Collister because he was perfectly prepared to make his comments, but, Mr Speaker, we will be holding over until the morning.

The Speaker: Yes; that is fine, Mr President, except that Tynwald has not agreed whether the witness should be called. All I did was move that the witness be called.

The President: Yes, sir. It is accepted that the witness will be called and the witness has agreed that to attend. If the Court had wished, in that regard, he was prepared to make his comments this afternoon. However, I think it is correct that he should take

advice and in particular notify his board. (**Members:** Hear, hear.) Thank you, hon. members, and thank you, Mr Collister.

Procedural

The President: Hon. members, can I just make one comment before we continue with the order paper? During the course of the debate early this afternoon the hon. member for Douglas West, Mr Shimmin, commented on the use of standing order 2.8. In fact, if we came at any time, we would have anything on the order paper and deal with it.

Hon. members, I wish to make it plain that there is a responsibility on all members when standing in relation to standing order 2.8 that you do not do it willy-nilly. I am aware that on this occasion a flurry of members was prepared to stand. In future, hon. members, we will follow what has happened in the past when there has been discussion about a matter of urgent public importance. Those who are standing in support of a member who brings such a motion before the Court will be named in *Hansard*. (**Several Members:** Hear, hear.) Thank you, hon. members.

Residence Act 2001 – Statement by the Chief Minister

The President: We continue with our order paper and will deal with item 4, statement by the Chief Minister.

Mr Corkill: Thank you, Mr President. In October 2002, this hon. Court received the Council of Ministers progress report on the Residents Act 2001. In presenting the report, I advised Tynwald that the preparatory work contained in the progress report had been completed at officer level and was now at the point where, in order to be taken forward, it needed to have political involvement and direction. Consequently, the Council of Ministers referred the progress report to the Social Issues Committee, which was originally responsible for the drafting of the Residents Bill. Over the past few months, the committee has been exploring, at political level, the detailed issues that were identified in the officer level progress report. In considering these matters the committee has been grappling with some very difficult and emotive issues, and recognises that it will not be in a position to report before the summer recess as initially hoped. I am sure that hon. members will appreciate the complexities and difficulties surrounding the deliberations on these matters and, indeed, I know that several members did take up an invitation to meet the committee to put forward their views and ideas. I assure hon. members the work on this difficult task is ongoing, and the Social Issues Committee will report to the Council of Ministers as soon as possible.

The President: Mr Delaney, hon. member of Council.

Mr Delaney: I am grateful to the Chief Minister for his report and to all the hon. members who gave evidence to the committee. However, I would be grateful if they could be clearer about the date on which they intend to report to Tynwald. This is a major issue. I also thank members for the time I have been given this morning, but I would like them to be clearer about when we are going to get back to this Court.

The President: The Chief Minister to reply.

Mr Corkill: Thank you, Mr President. I cannot give a timetable to hon. members, as it is a very problematic issue. I am pleased that the hon. member of Council, Mr Delaney, has taken the opportunity to present his views to the committee on whether the gateways may or may not operate in relation to this legislation. The deliberations over the appropriate gateways are contained in the legislation, and the debate on that continues. Therefore I cannot give a timetable as to when agreement will be reached on that issue. I thank hon. members who have taken up the invitation to present their views on the gateways to the committee. However, this committee will report to the Council of Ministers and deliberate the outcome of its work, sir.

Construction of Auldyn Infant School – Expenditure Approved

Item 5. The Minister for Education to move:

That Tynwald approves of the Department of Education incurring expenditure not exceeding £4,922,000 on the first phase of the construction of the new Auldyn Infant School.

[Reference: Item No. 4 under the heading 'Education' on page 7 of the Isle of Man Budget 2003-04 and as detailed in the Estimate of Capital Payments 2003-04 to 2007-08 (new schemes – Auldyn School) on pages 58 and 59 of the Isle of Man Budget 2003-04]

The President: We turn to item 5 on the order paper. I call on the hon. member for Garff, the Minister for Education, to move.

Mr Rodan: Thank you, Mr President. It is with great satisfaction that the Department of Education comes forward today to seek this hon. Court's approval for a major government investment for the education of infant children in Ramsey with the construction of a new primary school to replace the existing Auldyn Infant School. If the funding and approval is obtained today, work will commence next week on a project that will last 60 weeks. It is intended that the new school will be ready for occupation in September 2004.

The present school building is a flat-roofed Vic Hallam constructed building in poor condition with a capacity for only 150 pupils. However, there are 200 pupils on the roll, and the extra pupils are being accommodated in three mobile classroom units with no separate toilet facilities.

Expected population growth in Ramsey requires the department to provide for further pupil places. There are serious problems relating to the heating, electrical and drainage systems. The school does not have a dedicated medical room, community room, multi-purpose hall, adequate staff and resource areas, secretarial space and library and activity areas. Notwithstanding those deficiencies, the school has delivered an excellent education to generations of infant schoolchildren in Ramsey over the years.

I would like to pay tribute to Miss Joy Brew who clocks up 25 years this year as head teacher. She was the deputy head of the school when the existing building was opened in 1974. I am sure that is a record in the Isle of Man, but thanks to Miss Brew and her teaching team the community of Ramsey can have confidence in this new school setting for a high quality of education.

Needless to say, the department has closely consulted with the head teacher and with the users and prospective users of the building to ensure that the accommodation will be useful and suitable. We intend to have additional teaching and non-teaching space for a full fourth form entry of reception and infant pupils with four reception classrooms, eight infant classrooms, an integral special-needs unit and nursery unit, an assembly with dining area together with a multi-purpose hall and community room that will have a dedicated entrance to facilitate community use, particularly in the evenings.

A traffic management plan will provide safe and up-to-date pick-up areas and access from the main Lezayre Road with bus and coach lay-by. There has been full consultation with the Department of Transport.

The total scheme will cost just over £5.2 million. The figure of £4,355,000 referred to in item 5 of the order paper represents the construction work to be carried out by the contractor.

I apologise for a small error in the motion, which refers to the first phase of construction. The sum being sought today represents the entire remaining capital cost. There was an error in the drafting, which was my department's responsibility and not that of the Treasury or the Clerk of Tynwald's Office. I wish to draw the Court's attention to that.

The second phase of the project will be represented by the revenue stream of expenditure and will consist of some further work to the drainage of the playing fields and the demolition of existing buildings. However, that will be revenue-funded, and it will not be part of the capital scheme. It gives me pleasure to move the motion standing in my name.

The President: Hon. member for Ramsey, Mrs Craine.

Mrs Craine: Thank you, Mr President. I thank the minister for tabling the motion today. Having been associated with Auldyn School for 10 years through the board of education and having witnessed the difficulties that the school has had with this Vic Hallam building, which has long passed its sell-by date, I can only commend this new building to you.

There have been difficulties with the drainage of the site on which the present school stands. I have been through the school on many occasions and found buckets in the hallway, in the classroom and everywhere else where rainwater has come through the roof. It has been a constant problem to the department and to the school and the staff. Notwithstanding that, it has not prevented the outstanding quality of teaching that the minister referred to.

Auldyn School is a community school in the truest sense. It is a school for five-to-seven-year-old children, which is also used extensively by the community, and it is a school to which the community is made to feel welcome to return to. In fact, through Miss Brew's headship, generations of children have returned to the school. We now need to move on and to expand on the premises, as the children are currently situated in mobile classrooms. We need to welcome this initiative from the department. It has been a long time in coming, and it is the first phase of two new schools for Ramsey. They are both urgently needed, and I urge the Court to accept this motion.

The President: Hon. member for Ramsey, Mr Bell.

Mr Bell: Thank you, Mr President. Needless to say, I endorse the words of my colleague Mrs Craine and the minister in his description and presentation. I would also like to put on record my congratulations to the headmistress, Miss Brew, for her 25 years' service. Having worked alongside her for a large part of those 25 years, I know the major and vital contribution she has made to the welfare of young people in Ramsey. I am sure that will continue in the new building.

The building has been described as being in an extremely poor condition and, in spite of that, the institution has provided a superb education facility for the community for many years. Therefore I wholeheartedly endorse the proposal that has been put forward and congratulate the minister on finally getting it here (**A Member:** Hear, hear.) I also urge the speedy redevelopment of Albert Road School and a replacement in Clifton Park or wherever it is decided to be located.

There are two points that I would like to add. It is very good news for Ramsey that Auldyn School is being rebuilt, but the area in which it is being rebuilt is becoming part of a much wider redevelopment area. In particular, the Lezayre housing estate that immediately abuts the site will be demolished and new houses will be built there.

In spite of the scheme coming to fruition here, I urge the minister to ensure that the Department of Education continues to work closely with the Ramsey

Town Commissioners on the new layout of the estate and the road access to the area. We want to ensure that we get the very best out of the major redevelopment of the central portion of Ramsey, and we want to ensure that all departments work closely together to ensure that the long-term and broader developmental benefits are gained for the town.

Secondly, I have a concern about the security and long-term position of Ramsey youth centre football club, which has used the football pitch for many years. There have been some question marks over its long-term viability and future. I would like some assurance from the hon. minister that the interests of the youth centre football club have been fully taken into account and, in particular, the problems that it is experiencing, through no fault of its own, regarding the distance of the clubhouse from the football pitch have also been taken into account. This does not sound as though it is a big problem, but up to 100 youngsters between the ages of 10 and 14 use the pitch, and there are FA rules regarding the lines of sight that must exist between the pitch and the changing rooms. The proposed development of the school will obscure those lines and will cause the club extreme problems in trying to maintain that facility. There have been discussions between Ramsey youth centre committee members and the director of education. However, I would appreciate it if the hon. minister could assure the club that the department will make a long-term commitment to the facility adjoining Auldryn School and that it will do its best to ensure that all the concerns that have been raised will be addressed and that the club will continue to flourish into the future.

The President: Hon. members, for purposes of record and clarity, I want to make it plain that when Mrs Craine, the hon. member for Ramsey, was urging members to support the minister, I was taking it that she was seconding the motion (**A Member:** Well done.) The minister to reply.

Mr Rodan: Thank you, Mr President. I thank the hon. member for Ramsey, Mrs Craine, for kindly seconding the motion and for her supportive comments. Over the years she has been very involved with Auldryn School in her capacity as a member of the education board, and she has described some of the problems that have made it necessary to bring this project forward. I thank her for her comments, and I also thank the hon. member for Ramsey, Mr Bell. I look forward to continuing discussions with him, as Treasury minister, to find out how we can bring forward the development of Clifton School as a replacement to Albert Road School, the design stage for which is under the reconfigured capital programme of the department to take place in 2005-6. However, one of the facts of economic life under which the department must operate is that one cannot bring forward developments as quickly as one would wish.

With regard to Mr Bell's first point about the new housing estate, liaison has taken place with the commissioners. Some 18 months ago during

discussions about whether separate infant and junior provision should be maintained, the certainties or otherwise associated with the Lezayre housing estate were talked about. If the commissioners had been in a position to offer some certainty to the department over that development, the scope of this project might have worked out slightly differently.

That housing project is moving now, but the pressing need for this school cannot wait indefinitely, and I am sure that the minister will understand that. Notwithstanding that, we will liaise not least over road layout aspects, which are yet to be finalised for the housing estate.

As far as the Ramsey Youth Centre is concerned – or 'the youthy' as it is known – assurances are being sought and discussions have taken place between the director and myself with representatives of the club over the long-standing use of the playing field that has been made available for many years. It has been acknowledged that the school and its configuration will alter the relationship between the clubhouse and the playing field. Discussions have taken place over possible alternatives, and they will continue. The department will be as helpful as it can be within the constraints and the priority of the school's operation. We are still in discussions with the Ramsey Youth Centre. I thank the two members who have spoken for their comments and thank you, Mr President.

The President: Hon. members, the motion I put to the Court is printed at item 5 on the order paper. Those in favour say aye; against no. The ayes have it. The ayes have it.

Planned Maintenance of Housing Stock – Expenditure Approved

Item 6. The Minister for Local Government and the Environment to move:

That Tynwald –

- (1) approves the Department of Local Government and the Environment incurring expenditure not exceeding £2,250,000 for planned maintenance projects in its housing stock;*
- (2) authorises the Treasury to spend out of the capital transactions account a sum not exceeding £750,000 in each of the financial years ending 31st March 2004, 31st March 2005 and 31st March 2006;*
- (3) approves of and sanctions total borrowings not exceeding £2,250,000 being made by government, such borrowings to be paid within a period of 30 years; and*
- (4) approves the transfer of £750,000 from the Housing Reserve Fund to the capital*

transactions account in each of the years ending 31st March 2004, 31st March 2005 and 31st March 2006.

The President: We turn to item 6 on the order paper. I call on the Minister for Local Government and the Environment to move.

Mrs Crowe: Thank you, Mr President. As hon. members will recall, I have brought several resolutions forward to commit expenditure from the Housing Reserve Fund established in the 2002 budget. However, until now this has been to facilitate and accelerate the construction of new housing. This motion, however, concerns much needed reinvestment in my department's housing stock to meet the aims and objectives contained in the Isle of Man government plan 2003-6.

My department has circulated to hon. members the details of the projects on which the proposed funding will be expended. I hope that they feel that the information is useful for them to pass on to their constituents. However, I would like to highlight the following four points.

First, the funding is proposed for the next three financial years only, but ongoing funding will be required beyond that period. However, an allowance has been made in my department's capital project for funding at that time.

Secondly, the funding will be used to finance planned maintenance projects not cyclical or responsive maintenance. It will assist in major projects such as renewing or improving kitchens, bathrooms, installing thermal insulation, electrical rewiring, central heating and even the structural fabric of the houses.

Thirdly, and most importantly, the funding will enable tenants to have a clear idea as to when improvements to their homes are planned, and it will enable them to plan accordingly.

In five years' time, tenants on every DoLGE estate will have seen some major works carried out either as part of the planned maintenance scheme or of the capital programme. Hon. members will appreciate that my department's housing stock of nearly 1,200 properties is predominantly 30 years old and needs to be improved to enable the department to continue to provide existing and future tenants with affordable homes of an acceptable standard. Mr President, I beg to move.

The President: Hon. member for Douglas North Mr Henderson.

Mr Henderson: Thank you, Eaghtyrane. I second the motion. It brings an important phase to the department's ongoing home improvements and to our housing stock, which services people on low incomes. It is a very welcome addition to our programme, and it has been well detailed and set out as the minister has said.

I hope the message goes out from the hon. Court this afternoon that as detailed and as planned out as this is – and I am sure that everything will run as smoothly as it can according to what is laid out – I hope that other local authorities can take the same approach in their planned maintenance programmes and come up with the schemes in this fashion. I also hope that my local authority in Douglas can manage to plan out and achieve the same kind of scope that is set out here. It would obviously not be on the same scale, but it is a lesson to be learned for all. Thank you, Eaghtyrane.

The President: Hon. member for Douglas South, Mr Cretney.

Mr Cretney: The hon. member spoke briefly about the point to which I was going to refer. I support the measure that is before hon. members today, but the hon. minister referred to the age profile of the local government housing stock. In my constituency and adjacent Douglas East some of the housing stock is much older, and it is necessary to have that planned maintenance. I hope that she will be able to support the local authority, Douglas Corporation, in bringing forward such works. There have been significant improvements over the past several years, but there is still a long way to go.

The President: Mr Speaker.

The Speaker: Thank you, Mr President. I welcome the motion and congratulate the minister for tabling it. One of the problems that has been raised several times is the department's difficulty in carrying out maintenance, because its maintenance programme appears in the capital programme whereas local authority public sector housing is a revenue item which the department funds as a deficiency. That has led to anomalies whereby the standards in many of the local authority public sector houses have been improved while the department has struggled to get finances in the government's capital programme. Therefore while there is much to be done in many local authority areas, I welcome the move to sort out a way forward for many of the public sector houses owned by the department.

The President: Hon. member for Glenfaba, Mr Anderson.

Mr Anderson: I too welcome this worthwhile document that the department has produced. It is very useful for members to refer to. I was criticised by some members in the policy debate for mentioning an individual housing estate, but that happened as a result of a lack of information I received from the department. However, this document clarifies things for me as it states exactly when the external painting will take place at Tynwald Close. I see that it is timetabled for the second quarter of this year. Therefore I hope that it will take place before Tynwald

Day. I realise that that is not very far away, and I do not see any sign of painting there yet. Perhaps the minister could confirm that it will take place in the second quarter.

The President: Hon. member for Middle.

Mr Quayle: Thank you, Mr President. I congratulate the minister for bringing forward this scheme. We have had discussions over the past year or so, and I have also had discussions with Mr Riley who was very helpful in providing information to state that the properties were going to be upgraded in Middle among all the other constituencies. I ask the minister to give an assurance that there will be no slippage in the dates because it had been suggested to me that there have been very laudable ambitions to do some of the local authority housing refurbishments around the Island over the years. Sadly, the timescale has slipped somewhat. In particular, the houses in Crosby belonging to DoLGE are among those that require the most urgent attention, and I hope that there will not be slippage in those areas.

The President: Let us try to avoid going round our constituencies if we can. (**Several Members:** Hear, hear.) Hon. member for Garff.

Mr Rodan: It is a big surprise for me to be on my feet, Mr President. The minister will accept that the reason for a succession of hon. members speaking from a constituency point of view is that the constituency workload of many of us is to a large extent concerned with housing issues and public housing that is owned and operated by the department. In my constituency there are six housing estates, which is some 120 homes. It is incredibly helpful to have to hand this schedule of works to be able to deal with constituency inquiries. When I am not writing to the Department of Transport, much of my time is spent writing to the Department of Local Government and the Environment on housing issues.

I ask the minister whether it would be possible to make this schedule available annually or to have it updated annually, possibly in relation to the annual policy report. It would be extremely helpful, and it would enable us to track progress. I am sure she will welcome being held to account, if necessary, for any possible slippage in issues that are of great concern to many of our constituents. The upgrade of kitchens and bathrooms, provision of central heating and external painting of homes are day-to-day issues of major importance to many of our constituents. Therefore I thank the department for presenting the information in this way and for taking the initiative to ensure that ring-fenced funding has been allocated for the purpose.

The President: Hon. member Mrs Crowe to reply.

Mrs Crowe: Thank you, Mr President. I welcome all the comments from the hon. members of the Court.

I felt that it was essential for hon. members to know exactly what was happening in their areas. However, even more essential than the knowledge for the hon. members of this Court, I felt that it was quite a ridiculous situation when tenants were going to the trouble of redecorating their lounges, and workmen were arriving a couple of months later to rip out their windows. Therefore it is essential for all tenants to be notified through newsletters so that they know exactly what we are doing on their estates and how we are planning to help them, and they can contribute to that. That is very important.

I intend to publish the report as a moving target report. The report you have contains blanks, and there are more dates to insert. I wish I could tell you that there will be no slippage, but I can never guarantee that. It is all contractual work, and things can be taken out and may have to be adjusted slightly. However, I will do my best to ensure that the record is kept to, and I hope that the Tynwald Close houses will appear in a good light for Tynwald Day, but I cannot guarantee it.

The President: Hon. members, the motion I put to the Court is that printed at item 6 on the order paper. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

**Proposed Housing
Refurbishment/Replacement at
Janet's Corner, Castletown –
Expenditure Approved**

Item 7. The Minister for Local Government and the Environment to move:

That Tynwald approves expenditure of a sum not exceeding £160,000 for pre-contract costs for the proposed housing refurbishment project at Janet's Corner, Castletown.

[Reference: Item 10 under the heading 'Local Government and the Environment' on page 9 of the Isle of Man Budget 2003-04 and as detailed in the Estimates of Capital Payments 2003-04 to 2007-08 (New Schemes – Janet's Corner – Replacement/Refurbishment) on page 63 of the Isle of Man Budget 2003-04].

The President: We move now to item 7 on the order paper. I again call on the hon. member, Mrs Crowe.

Mrs Crowe: Thank you, Mr President. At the March 2003 sitting of this hon. Court expenditure was approved totalling some £5.8 million for the department's proposed housing development at Red Gap, Castletown.

I am delighted to report that it is progressing well. I reported at the time that 31 of the properties would be used as transit accommodation to assist us in the

modernisation of the Janet's Corner housing estate in Castletown.

The funding of £160,000 being sought today is required to commence the process to move the Janet's Corner project forward. The pre-contract costs will include fees for surveys, costs of other investigations, building control fees, and costs of employing consultants. The expenditure is necessary to progress a master plan and detailed proposals for the first phase of the modernisation.

Tenant consultation on the project has already commenced and following the issue and return of all the questionnaires seeking tenants' views on the future design of the estate, we will be progressing with the tenants to ensure that we have an estate for the future. In fact, I drew the winning questionnaire this morning.

I seek the support of hon. members today to commence the process of improving and modernising the properties on the department's Janet's Corner estate to enable my department to meet a key objective in the government plan. Mr President, I beg to move.

The President: Mr Speaker.

The Speaker: Thank you, Mr President. I beg to second. I welcome the fact that the department, the minister, and, of course, the government, have ensured that funding is available for this modernisation. The Janet's Corner estate is a classic example of a situation where, over the years, a lack of funds for modernisation in the way that the previous motion allowed for has allowed such properties to deteriorate to such a state that there is now substantial work to be undertaken.

The standard of accommodation for public sector houses must be as high as those for most people in the private sector. It has been obvious in Janet's Corner for many years that due to the lack of heating, the lack of proper windows, and the lack of weather proofing, some children are off school because they are catching infections that they should not be catching these days. During the winter months they suffer from colds because the properties are in urgent need of major refurbishment.

The people at Janet's Corner welcomed the consultation. They have taken a great interest in responding to the questionnaires, and they look forward to the next session, which we hope will identify how the estate will be refurbished. That is causing considerable interest.

I thank the officers from the department who are involved in this, because I have had numerous meetings with them over the past couple of years on this issue, and they are keen to include the tenants and to keep them informed. That is an important part of any major scheme. I look forward to the scheme coming forward when it has been finalised and after the initial expenditure. I look forward to its progressing.

The President: Hon. member for Peel.

Mrs Hannan: Thank you, Eaghtyrane. I follow the Speaker's comments and confirm that one of the major advances in health promotion and health education is warm housing (**A Member:** Absolutely.). When we are looking at health and at health-related issues we ought to remember that other factors affect people's health; and if we can make living standards much better there would be less call for emergency healthcare support.

I would make a plea that when this estate is being planned it would receive consideration for a play area, which is important for keeping children healthy, happy and developing properly. We should be looking at that in all our buildings. I hope that the minister will bear that in mind.

The President: Minister to reply.

Mrs Crowe: Thank you, Mr President. I am delighted by the Speaker's support, which I thought might be forthcoming for this project. I take on board the comments made by the hon. member for Peel. I am ashamed at the condition of some of the houses in my department's 1,200-strong housing stock. I am doing my best to bring about changes, which is why you see the planned maintenance for major renewal of insulation and new bathrooms. Good housing has an important rôle to play in the health of our citizens. I take all of that on board.

Janet's Corner does have quite a nice play area at present. However, of course, in the new estate we will have even more provision for children to play in and around their homes. Thank you, Mr President.

The President: The motion, hon. members, is that printed at 7 on the order paper. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

Proposed Housing Refurbishment, Jurby – Expenditure Approved

Item 8. The Minister for Local Government and the Environment to move:

That Tynwald approves expenditure of a sum not exceeding £132,00 for pre-contract costs for the proposed housing refurbishment project at Bretney and Threshold, Jurby.

[Reference: Item 8 under the heading 'Local Government and the Environment' on page 9 of the Isle of Man Budget 2003-04 and as detailed in the estimates of capital payments 2003-04 to 2007-08 (New Schemes – Jurby) on page 63 of the Isle of Man Budget 2003-04]

The President: Item 8 is again in the hands of the Minister for Local Government and the Environment, Mrs Crowe, to move.

Mrs Crowe: Thank you, Mr President. I am sorry to see that my hon. friend, the member for Jurby, is not in the Court today –

A Member: I am not! (*Laughter*).

Mrs Crowe: – Mr President, the hon. members of this Court have seen me present other proposals at this sitting to meet the aims and objectives of the Isle of Man government plan 2003-06 to invest in and improve the condition of the department's housing stock. The Isle of Man budget included a total budget of over £3 million for the proposed project at the department's housing estates at Jurby.

The funding being sought in this motion today is for pre-contract costs. Those will include fees for surveys, costs of investigations, building control fees and consultants, which are necessary to progress a capital project of this size. It is anticipated that most of the works will be required on the Bretney estate. They will include re-roofing, new windows, new doors, central heating, rewiring, chimney repairs and reconstruction, kitchens, bathrooms, gutters, external works, upgrading the area's services and some environmental work to improve the area. However, some works will also be required on the Threshold estate, and those too will involve environmental improvements.

My department is committed to undertaking proper consultation with its tenants on all housing. Therefore an early part of the pre-contract activities will be to seek the tenants' views by way of a questionnaire delivered to each household. Open days, which we have held and will continue to hold, will be held in accordance with the processes recently applied in the Janet's Corner estate and in the Lezayre estate.

Mr President, I am seeking hon. members' support today to progress proposals to improve the properties on the department's two Jurby estates. Such support will enable my department to continue to provide accommodation for our tenants that is of an acceptable standard. Thank you, Mr President.

The President: Hon. member of Council, Mr Delaney.

Mr Delaney: I take great pleasure in seconding the motion but also in calling on a site that I know so well. Like the minister, I am interested in the state that some of the properties are in, and I am also interested in what I see every day. Is there a policy that says that we should turn a blind eye to certain areas that are not going to be seen by anybody? I am not pushing this, but I want clarity on what we are trying to achieve.

In the constituency of the hon. member for Douglas South some good work has gone on in Lord Street and in Lower Lord Street, but for some reason there is one block that backs on to Queen Street, the bottom of which is now empty.

I have asked the Council, and I am now asking Tynwald Court, whether there is a policy that people turn a blind eye as they drive past that main road so

they do not see that block. If we are supposed to do that, put a sign up; because there seems to be a policy to do nothing with those properties. We have bypassed them. I am told that we are not going to do anything with them.

There are still people living in them – I know that because we had to rehouse some good people in other properties with the help of the local government department and the local authority. However, we cannot go on ignoring that block on that main road for ever. Will the minister assure me, and the members for Douglas South who must serve their constituents, that we do not have a policy of ignoring that block? Are we going to do something with it? We must either get rid of it or do it up. Please, minister.

The President: Minister to reply.

Mrs Crowe: Thank you, Mr President. I am rather at a loss to answer the hon. member of Council, Mr Delaney at present. We are planning a building project in that area, and I suggest that any improvement works might not be finished until dust and rubble have settled. I will certainly furnish the hon. member, and the other Douglas members, with that information. Thank you, Mr President. I beg to move.

The President: Hon. members, the motion I put to the Court is that printed at 8 on the order paper. Those in favour please say aye; against, no. The ayes have it. The ayes have it.

Announcement of Royal Assent

The President: Hon. members, I must announce that Royal Assent has been given today to the Matrimonial Proceedings Act 2003, the Inquiries Evidence Act 2003 and the International Criminal Court Act 2003.

Procedural

The President: Hon. members, as I indicated earlier, and as you are now well aware, we will deal with the remaining item, the post office in the morning. Noting that we are coming back, if you are happy I propose to quit at about seven o'clock this evening with a view to completing our order paper tomorrow. Please talk about it if you wish over our tea break. If you are unhappy with that let me know. The Court will now stand adjourned until ten minutes to five. Thank you, hon. members.

The Court adjourned at 4.26 p.m. and resumed its sitting at 4.50 p.m.

**Department of Health Report on
Consultation on Ramsey and District
Cottage Hospital – Motion Carried**

Item 9. The Minister of Health and Social Security to move:

That the report of the Department of Health and Social Security on the outcome of the public consultation process on the policy for Ramsey and District Cottage Hospital be received and its recommendations approved.

The President: We have reached item 9 on the order paper. I call on the Minister for Health and Social Security to move.

Mrs Christian: Thank you, Mr President. First of all, thank you, sir, for agreeing to the supplementary agenda. I apologise to the Court for the appearance of this report, which is not of the nature and quality to which the department normally aspires. Its delivery was affected by a tight timeframe, staff absences and leave, and a very intensive period of work on other health service matters. However, I did not see any virtue in delaying its presentation, because it is a matter on which we all want to progress.

Members have been provided with copies of the department's report on the outcome of the public consultation exercise into the present, medium- and long-term policy for Ramsey Cottage Hospital, undertaken in accordance with the Tynwald resolution of 19th March 2003. Enclosed with the report was the consultation document; the responses to it from individuals and organisations who took the opportunity to write in; and notes and comments from the Ramsey Group Practice, the Ramsey Cottage Hospital League of Friends, and the hospital trustees, which were made at meetings held with the department.

As stated in the consultation document, existing and future policies on the Cottage Hospital are substantially in line with the strategy for health and community services, as approved in Tynwald in July 1991. In broad terms, the strategy envisaged the provision of a comprehensive range of acute services in a district general hospital – Noble's – supported by community developments in the north, south and centre of the Island that would provide services to elderly and psychiatric patients and provide a limited range of acute services.

The department thinks that the strategy and the service policies built upon it remain appropriate for meeting the healthcare needs of the Island's population. In the case of Ramsey Cottage Hospital, those include a range of in-patient beds covering rehabilitation, elderly severely mentally ill patients, GP acute services and minor surgery. Other associated services include outpatient clinics, minor casualty, basic x-ray, and provision for therapy services. In addition, day hospital care is provided for elderly and mentally ill patients, with accommodation for community care teams.

This broadly fits the outline proposed in the 1991 strategy, but it has also developed as a base for a range of services to the community beyond that envisaged in the original strategy.

Responses to the consultation did not contain any expression of fundamental disagreement with the policies determined by the strategy. Instead, most responses concentrated on the single issue of 24-hour medical cover for the minor injuries unit, which is but one aspect of service delivery at Ramsey. In this respect, the objectives of the March resolution have been met only to a limited extent.

The other aspect, which has led to a degree of confusion, concerns the recent changes in the out-of-hours cover arrangements by general practitioners under their general medical services contract. Although this may have been a contributory factor in the decision of the Ramsey Group Practice to reduce 24-hour a day medical cover for the Cottage Hospital's minor injuries unit, I make it clear once again that the contract for the general practitioners for the unit is separate from their general medical services contract.

Out-of-hours cover by GPs under their general medical services contract is subject to separate motions on our order paper, and we must focus our attention in this item on the policies for Ramsey and District Cottage Hospital. The department is continuing to review the effect on patient care of the reduced medical cover for the minor injuries unit. Indications are that the service, although more limited in providing medical cover and in 24-hour accessibility for patients, is working well. In particular, the introduction of an out-of-hours nurse-led service up to ten o'clock at night and at weekends is proving effective. It is intended to extend this as the pool of trained nurses is increased. It is anticipated that an extension to midnight in the first instance might be achieved by autumn of this year and, in future, we could move towards providing such nurse-led services elsewhere on the Island.

Additionally, I am pleased to be able to confirm that the Ramsey Group Practice has said that it is willing to explore the provision of additional medical cover in exceptional circumstances as it did in TT week, for example, during periods of road closures due to severe weather conditions.

That said, I am aware that there is a feeling or a suspicion that the department is embarking on a course of gradually downgrading, or even closing, Ramsey Cottage Hospital. I cannot refute this strongly enough. I reiterate that the department's aim has always been to ensure that the Cottage Hospital continues to provide an essential and effective health service to the north of the Island as an integral part of a strategy for the population as a whole.

In so doing we cannot, even if we wanted to, ignore changes in the delivery of acute healthcare, which have been heavily influenced by increased patient expectation, balanced by medical and legal matters. Our ability to meet this expectation, against a background of limited resources, including specialist personnel and finance, must be recognised. There is no

doubt that we will continue to see changes in the provision of patient care through, for example, increased use of modern technology to improve support from main central facilities to community units and services.

I appreciate that these concepts are not readily understood and that doubts are expressed when changes are made to services, particularly to those services that have endured for many years. Out-of-hours medical cover in the minor injuries unit is but one component of the interrelated parts of the jigsaw that comprise the various services at Ramsey. It cannot be replaced in a simple manner for the reasons that I have outlined.

Several ways forward have been mooted, both internally by the department and by the general public. The latter proffered genuine suggestions; they expressed some concern that we do not simply 'get on with it'. With respect to them, although some of their ideas are certainly worthy of consideration, members of the public are not aware, nor would we expect them to be aware, of the detailed and complex matters that underlie health service provision. Neither have they, generally speaking, grasped the differences between the general medical services contract and the separate issue of medical cover in the Cottage Hospital.

In those circumstances the department has taken the view that now would be an opportune moment to undertake a review of the strategy as it relates specifically to Ramsey Cottage Hospital. In the interests of generating greater confidence in the objectivity of such a review, the department is of the opinion that a body totally independent of the department should undertake it. We hope that this will instil confidence in the outcome in all quarters, including the department, which will want to pick up on any aspect that differs from present policy.

I refer members to the wording of the report and its recommendations. It is envisaged that such a review would take account of developments in contractual obligations and professional practices, both medical and nursing, over the time that the strategy has been in effect; note any likely further developments; and advise on how the community services element of the 1991 strategy might be adapted to embrace such developments. At the same time, and I emphasise this, it should preserve the principle of regional service provision to the greatest practical extent.

The department thinks that such a review would need to include topics such as the balance between medical and nursing cover, both for weekday and out-of-hours services; the prospects for outreach clinical services from community bases; the impact of developments in clinical governance, and risk assessment and acceptability. Risk management and audit of professional standards by professional bodies have a significant effect on what we can and cannot do these days. The balance must be struck between patient expectation, staff expectation and resource implications, having cognisance of the personnel and finance issues and the extent to which modern technology can improve support from the main central

facilities to community units and services. The department aims to report to Tynwald on the outcome of that review by January 2004.

In making the recommendation, the department recognises that, as with the 1991 strategy document, a review independent of the department would generate greater confidence in our objectivity. This is an important factor, given the recent criticisms of aspects of service provision at Ramsey. The department seeks the endorsement of the Court of the proposal, Mr President. I beg to move.

The President: Hon. member for Glenfaba.

Mr Anderson: Mr President, I beg to second and reserve my remarks.

The President: Hon. member Mr Singer.

Mr Singer: Thank you, Mr President. I would like to move the following amendment, which is being circulated to hon. members. It reads:

Before the word 'That' insert '(1)'

Delete the words after 'received' and add –

'(2) Tynwald deplores the failure of the department to respond in a meaningful and positive manner to the overwhelming opinion of the consultees and the public that the out-of-hours GP service centred on Ramsey Cottage Hospital be restored with minimum delay.'

The consultation carried out by the DHSS has been farcical. In fact, it was not a consultation procedure at all, as has been pointed out by those who responded to the document. Mr Grimson summed it up in his letter, which all members received. He wrote: 'It is notable that of the department's six and a half pages of text, five and a half pages are devoted to an account and statistics relating to the development of the hospital up to the present, and the final section, entitled "Future Service Provision", barely fills the one remaining page. A consultation document would normally ask questions of the consultee, ask for opinions, provide a list of options, but there is none of this.'

The department has done nothing. The situation caused by doctors' withdrawal from the cover of Ramsey has been accepted as a final position by the department, with a sop to the public that an external review of the community services of the 1991 strategy will be commissioned to report next January. The department hopes that during the next six months or so the public of the North will raise their hands in defeat. That is a serious misjudgment of the mood of the public.

Is the minister washing her hands of any responsibility? She is placing the clear duty of care of her department on to a committee. She is abdicating

any responsibility to the public affected by the changes, not only in the North but in other areas of the Island affected by the recent changes in the out-of-hours emergency GP service. It directly affects every person in the North. That is not the leadership that we are looking for from the department.

The minister had the opportunity to declare the department's position to a concerned public meeting in Ramsey. More than 450 people were in the meeting, and more than 200 people were outside; the meeting was relayed to them. The minister was aware of the strong public feeling because of the march of more than 2,000 people through the centre of Ramsey. The minister knows that she convinced no one that the enforced situation was in any way acceptable. She knows that the attendees at the public meeting voted unanimously that their decision to oppose the changes should be accepted as part of the consultation procedure –

Mrs Christian: They were.

Mr Singer: Nevertheless, there is not one suggestion from the department, despite the consultation, to which the public might say, 'Well, the minister has listened, and she is making a real effort to ensure that the service returns to something similar to what it was before 1st April'.

The hon. Chief Minister was present at the public meeting, and although he changed no one's opinion when he said that he fully backed his health minister, he did say to the meeting that he had come to listen. Everyone is asking, 'How much did he listen?' In the protected comfort of this Court he later said that it would be a foolish politician who was influenced by protest marches.

The Chief Minister clearly demonstrated that he did not hear. If the government's attitude is to ignore the public on important matters, be it health, planning or waste disposal, the public will become more frustrated, and they will march more frequently in larger numbers. It is not often that the people stand up to be counted, but in May in Ramsey they did – in their thousands. They protested against the complete closedown, the complete destruction, of the Ramsey Cottage Hospital service after 10.00 p.m. at night until 8.00 a.m. the following morning. It is relevant that the northern local authorities, including the authority in whose jurisdiction the hon. minister lives, have written on behalf of their public to express extreme concern at the downgrading of our out-of-hours doctor service.

It is not a democracy if we have a government that can see but is blind or can hear but turns a deaf ear. What kind of vision for the future can this Island of 77,000 people have when the politicians, who are so physically close to the people, behave as though they are a million miles away?

I refer now, hon. members, to appendix 2 on the short note on the consultation meeting with the League of Friends of Ramsey Cottage Hospital that was sent to me as chairman by Mr Newbury on 12th May. The meeting lasted one hour, and all Mr Newbury could get

out of the meeting were those two short paragraphs. He asked if those summed up our comments. I wrote back on 15th May, saying that they certainly did not, and I put in writing several of the suggested methods of tackling the situation that we had proposed at the meeting. I do not know whether that letter has been circulated to members. Has it?

The President: I have no idea, hon. member, but if we have a copy of it we will certainly see that it is circulated.

Mr Singer: If you would like, Mr President, if it is okay with members, I will refer to it.

The President: Well, you can refer to it but it would be better if it was copied for you, hon. member.

Mr Singer: I did ask for it to be.

I would certainly question the motive, Mr President, for omitting that letter from the report, particularly as a consultation did not close until May 23rd. I wrote back on May 15th and I also had a further discussion with the hon. minister, reiterating those same points.

There are other ways of tackling this problem if the GPs will not reverse their decision, taking into account that the minister has stated that finance is not the problem but the lack of GPs available to undertake the service.

I do not believe that being asked to work some overtime as a professional will deter new doctors from coming to the Island and I would certainly question the commitment of any GP who is not prepared to be involved in some overtime work. I am not forgetting that there are hon. members representing the south of the Island, who have expressed their concern at the reduction in their services and they quite rightly want their service restored. The one difference, which I am sure they will appreciate, is that in the North we have a hospital that has been in the community for almost 100 years, extremely well equipped and with excellent nursing staff, and it is verging on the criminal to mothball that urgent treatment centre for 73 hours each week and have no doctor availability for 120 hours each week.

Unfortunately the report presented by the minister says nothing of any substance to give hope to the thousands of people in the North who are now suffering a second-class service. It is no use the minister denying – and she has repeated it today – that there is no downgrading of Ramsey Cottage Hospital; it is already downgraded.

The minister should be asking, and to repeat a phrase of Mr Speaker earlier on in a previous debate, 'How do you serve our community properly?' And in the same debate, Mr Lowey referred to 'having a quality of service for 61 years' in respect of the post office. Well, Ramsey has had a quality service from the hospital for 97 years.

So whilst the hon. minister wants us to sit back for several months and wait for the report, and whilst the

department is monitoring the present arrangements let me give to the minister and hon. members just a few of the incidents related to me by those affected and which I am sure will not be in those monitoring statistics.

I know, firstly, of a young boy who was sent to Noble's by ambulance for two stitches in his finger. That was tying up the ambulance time and the medical procedure would previously probably have been undertaken at Ramsey. An ambulance was sent for a girl from the hospital. It then had to go on its way to pick up another patient and resulted in that girl being in the ambulance for one and a half hours. Now, it is not normal practice to take patients from unrelated incidents in the same ambulance.

I know the mother of a severely epileptic child who was told that he needed to see the doctor, and the hospital said to him, "Luckily the ambulance is on its way back to Ramsey." She did not have a car.

A diabetic eight-year-old, who was feeling very ill in the middle of the night, rang up the doctor and he said to her over the phone, "Take something sweet and see your doctor in the morning." She did not sleep all that night and what if 'something sweet' had not worked, if it had not been her diabetes causing her problem?

I know a person who was told to drive over the mountain with suspected appendicitis. A lady was driven over the mountain with appendicitis, she was not offered an ambulance and when she got to hospital she was immediately admitted.

There was a baby of six months, badly dehydrated; the mother, who had no car, was told: 'You cannot have the ambulance as it is for emergencies.' She eventually got to Noble's and the baby was immediately put onto a drip.

A child with severe stomach pains at 10 o'clock at night: the mother had to find a baby sitter at that time for another younger child, before driving the sick daughter over the mountain in the fog to Noble's, where the girl was admitted.

A GP on call at Noble's refused to call on a patient at Bride. Eventually the ambulance was sent but three hours were wasted before the very sick patient saw a doctor.

I know of a man who went to Ramsey Cottage Hospital on a Saturday morning. He could not move his arm, he was put in a sling and he was told to drive to Noble's with one arm. The problem is if people make the decision that they cannot get to Noble's and it is something serious who is responsible?

We are all acutely aware of the girl who hit her head and was being continually sick and refused entry to Ramsey Cottage Hospital. The parents had no car and she was refused the ambulance. She had a fractured skull.

Mr Henderson: That is disgraceful!

Mr Singer: A man went with a piece of metal in his eye, attended Ramsey Cottage Hospital. The nurse attempted to remove it and it broke off. She kept

ringing Douglas and eventually said, 'See your doctor in the morning.'

The week before last, a German biker was rushed to Ramsey Cottage Hospital on a Saturday morning, having crashed into a field in Bride. His arm was swelling badly and he had lacerations to his face. There was no treatment at Ramsey and no ambulance, local people had to take him in a car to Noble's. He had a broken arm and he received stitches in the severe lacerations in his face.

I was told yesterday of a mother of an eleven-week-old baby, who is a sickly baby on a special diet, who saw the nurse in Ramsey a few days ago – I think it was at the surgery – as the baby had a swelling on its leg. The nurse said to the mother: 'If the swelling has increased to the size of a fifty pence piece, ring Manndoc.' The swelling did increase, the baby was sick, vomiting and distressed, the mother rang the emergency service and the Doctor on duty said, 'There is no way I am coming out to Ramsey – bring the baby to Noble's.' The mother informed him that she had no car, the baby got worse and she rang again and the doctor refused again to go to Ramsey and said to give the baby some antihistamine.

The mother was more than upset and I am also upset that such an attitude should be shown to an eleven-week-old sick baby. I do know that if a doctor had been in Ramsey the baby would have been seen, but this doctor, whilst saying the baby should be seen would not travel to Ramsey to undertake the job for which he is well paid. I am incensed at this lack of care and I may well name that doctor.

But there must be many other cases of which others are aware and whilst each of these cases individually may be explained away as a misunderstanding or something similar, put together there is a clear pattern of the people of the North receiving a second-class service compared to those nearer Douglas. I would suspect that there are similar examples in the south of the Island and surely it is not acceptable for this hon. Court to accept a two-tier system depending on your postcode, depending where you live.

Are the nurses happy with these situations? Are the ambulance paramedics happy that equipment is sitting in the hospital at Ramsey and they cannot get to it or a doctor to assess and stabilise a patient's condition before taking them to Noble's?

No doubt the department find these individual cases an acceptable inevitability or one of those things. Well, the people who pay their national insurance contributions and their taxes do not, especially as the DHSS have raised an extra £5.6 million this year from the employers NI contribution, to at least maintain their services.

The Ramsey GPs have said they do not envisage reverting to medical cover for minor injuries outside the hours of 8.30 a.m. to 6.00 p.m. at Ramsey hospital, although I believe they have all signed up to the emergency service based at Noble's.

If the present system cannot be changed by agreement then we have to look at the possible

alternatives, as outlined in the letter that I believe has now been circulated to you. I would hasten to add that there may well be further alternatives to investigate.

The hon. minister has mentioned an expansion at the hours of nurse-led covers – fine but only as a temporary solution. I cannot agree personally to this being a permanent answer as there are procedures and certain essential drugs that can only be conducted or administered by a doctor, and we do not have a doctor nearby to call on; the doctor may be thirty miles away attending another call.

The department could attempt to recruit English-speaking doctors to general practice, or to run an emergency service situated at several key points throughout the Island in a similar way that they do now for Noble's Hospital, not leaving it as it is now for the individual practice to recruit doctors, but recruit them in the same way as they recruit NHS dentists for their particular service and offering attractive rates of remuneration.

However, the best solution – taking into account, as I say, that the Ramsey GPs have stated that there is no intention of resuming the out-of-hours service at Ramsey Cottage Hospital – is to restrict the Ramsey doctors to their GP practice as other doctors do in the Island and then recruit sufficient doctors for 24-hour cover at Ramsey Cottage Hospital for both inpatients and emergency treatment. Savings would contribute to the cost. This would enable the hospital to return to the fold of Isle of Man hospitals, have a registrar present and once again offer a full accident and emergency treatment to all of the people north of Laxey and also look after the inpatients 24 hours a day.

This solution would also bring about greater use of the expansive and modern facilities which have been established at Ramsey Cottage Hospital at great cost.

Whilst the department does have a fixation with the new hospital, this would be the ideal solution for the public and would give the opportunity for those doctors at Ramsey to rotate within Noble's Hospital's A & E doctors, to keep them up-to-date and to see what is happening in other parts of the Island. The solution will accrue savings: firstly from the GP's contract for attending Ramsey hospital during the normal working day – savings would be made there; there would no longer be the need to cover the North with the emergency out-of-hour's service which could concentrate on Douglas and the South; and thirdly, there would be a reduction in the cost of time and travel for the ambulance personnel who at sometimes are yo-yoing over the mountain. What is most important is that confidence would be restored in health provision in the North.

In Ramsey there is a projected increase of several hundred housing units in the next few years and the development of new business and jobs. There are similar projections throughout the whole of the North and people have come to live in the North because of the presence of the hospital within the community.

When I presented the motion to this hon. Court in March calling for the consultation and report – and I

would remind hon. members that the Court was unanimous in accepting that resolution – I conclude in my presentation by saying: 'I seek support of this hon. Court in seeking a definition from the department of its present policies and that it conducts a true consultation process on its policies for the future of Ramsey Cottage Hospital, then reporting back to Tynwald on those consultations and any amendments to its policies as a consequence of those consultations.'

Despite those consultations on the responses from the public meeting, the meeting of the League of Friends, correspondence from the public and from several local authorities, the minister of the department has not come forward with any kind of proposal that will comfort those people and authorities. Rather, the department has distanced itself from taking any responsibility to thoroughly investigate and face up to the problems now being caused to the public by the reduced out-of-hours service and there is a continuing potential for disaster.

The letters in response to the department's consultation document all had the same basis theme: concern and anxiety, the lack of a safety net and the road network and weather conditions. There is a concern that this removal of GP cover does not comply with the 1991 policy.

The present service being offered is not reasonable compared to what it was, so with the increase in the population it can only become even more unreasonable and unacceptable for the future. The actions of the minister and her department in producing this report and its conclusions are not in the interests of the people of the North and not in the interests of the Island in general. It does appear to me from this report that the minister does not run a primary care; primary care appears to run the minister.

We had the recent case where primary care decisions without consultation would have undermined the Chief Minister's drug and alcohol strategy if he himself had not reversed that decision. The primary healthcare service is quite clearly not prepared to listen to the views of the public (*Interjections*) by at least investigating the alternative suggestions put forward. The primary healthcare service does not consider the public demonstrations as indicating an urgent need to seek a solution that is acceptable to that public with the primary healthcare service.

I therefore ask Tynwald to accept the primary healthcare as represented by the minister for health, has failed in its duty to consult and then seek satisfactory alternative arrangements, having considered the views of those consulted to remedy the lack of adequate provision of primary healthcare outside the hours of 8.00 a.m. to 6.00 p.m. on weekdays at Ramsey Cottage Hospital. Whilst acknowledging that some hon. members will consider that their particular constituency does receive adequate cover from the GP out-of-hours service from the base at Noble's hospital, I ask them to support this motion that there is an inadequate provision of primary healthcare to a considerable proportion of Island

residents outside the hours of 8.00 a.m. to 6.00 p.m.
Thank you, Mr President.

The President: Hon. member for Ramsey, Mrs Craine.

Mrs Craine: Thank you, Mr President. I beg to second this amendment and would comment that the department appears to be adeptly sidestepping the main issue which has triggered the necessity for the consultation process to be undertaken and falls well short of the public expectation (**Mr Houghton:** Hear, hear.) of such consultation.

In their submissions and through the public meeting, the public have made their view clear: we need the immediate reinstatement of a 24 hour accident and emergency unit at Ramsey Cottage Hospital. (**A Member:** Hear, hear.) They may understand why the doctors have withdrawn their services, reducing Ramsey Cottage Hospital to a minor injuries unit but they do not accept the current position and nor should this Court.

The implication of the recommended review is that we will have another six months during which the department will hope that people will get used to the situation, assuming it will go away; it will not.

The people of Ramsey and the North deserve no less a medical service than elsewhere, and given that so much of the medical services have been as a result of direct public subscription, they deserve to see that investment result in care.

Ladies and gentlemen, hon. members of this Court, you will find before you a letter which I have asked to be circulated, which comes from a special meeting held last night by Ramsey Town Commissioners in relation to this issue. In this letter you will see that there is reference to the fact that it is noted that we have a high proportion of elderly and single parents in the North, many of whom do not have access to vehicles and I quote here: 'A recent survey of public sector tenants at Lezayre housing estate indicates that over one third do not have access to a vehicle'.

Are we to continue to accept that patients who are being transported by vehicles in emergency response mode or 'bluing in' should drive straight past the door of Ramsey Cottage Hospital in situations where in their best interests, given time constraints, they should be brought to where they can be given the best possible chance of survival.

Murmurs of litigation would seem to strangle the loud voice of common sense. Is the department not more likely to lay itself open to litigation by accepting inappropriate emergency referrals to Noble's than by giving the patient the best chance of recovery if that is by using the equipment and resources at Ramsey Cottage Hospital. (**Mr Houghton:** Hear, hear.)

We need the facilities to be open to enable our emergency services to make the right decision in the best interests of the patient.

If we prevaricate further we continue to increase the fear of every elderly and sick resident in the North.

The approval of this report without the implicit undertaking of reinstating 24-hour accident and emergency cover cannot be accepted. (**A Member:** Hear, hear.)

The President: Hon. member for Onchan, Mr Karran.

Mr Karran: Eaghtyrane, I was not going to discuss this issue, but when listening to both sides of the argument it does seem somehow that we are in a strange quandary here. Speaking as the ex-member for health, when we set up Manndoc we fought with the accountants and the doctors and I believe that the Manndoc scheme works well for the centre of the Island. There was no-one more frightened, more concerned as the member for health, and yes, to be perfectly honest, it was a running battle with the medical mafia for about two and a half years.

But we managed to do it and I believe that if the will is there of the department, we should be able to extend the Manndoc facility to the whole of the Island. That does concern me and that is why I can sympathise with the comments from the member for Ramsey and the member of Council in their concerns. We heard this morning from the members for the South about the ambulance service.

My concern is that one has no problem with taking away the accident and emergency service at Ramsey so long as there are adequate facilities provided. It makes sense if you have a proper Manndoc service that covers the Island properly and you have a proper paramedic ambulance service that is run in the north and the south of the Island; that is important and I actually have to say, if I had the choice between fumbling my way to Ramsey Cottage Hospital with a massive heart attack or having fully trained, red-hot paramedic ambulance people working on me to get me into Douglas –

Mrs Crowe: Quite right.

Mr Karran: – then I know my choice. That was the reason I fought so hard the member of Council Mrs Crowe for putting an ambulance service in the south of the Island. My commitment was: 'If you have a heart attack I want your survival rate as good in Port Erin and Peel and Ramsey as in Douglas' –

Mrs Hannan: You have not got it in Ramsey, I mean, in Peel.

Mr Karran: But the point is that I do feel that the minister must take on board because I do agree with the member of Council: I might be a bachelor, but there is nothing more frightening than to have the responsibility of a sick child and there is nothing more that concerns me than to find somebody who has not got the money to pay for a taxi for an individual from the north or the south of the Island to get that child into a hospital.

I believe that this is something that the minister *must* take on board over the Ramsey affair. I am concerned that when we extended Manndoc from what we have fought so hard for – which was not a bad thing – now we have compromised too much with the accountants and the convenience of the doctors themselves, because quite frankly – do not you kid yourselves – they are not the pinnacles of virtue that they used to be.

So I believe that the minister must take that on board and must also take on board the issue that the hon. member Mr Gawne mentioned about the paramedic ambulance service. It cannot be done on the cheap and *I know* because I am told, as the ex-member for health, that there have been cutbacks in what was intended and that has to be addressed.

Eaghtyrane, as far as the issue over Ramsey I will tell you now as the ex-member for health, I was fighting the issue that we did not want to have a three-stroke rehabilitation units on the Isle of Man when the Isle of Man would not have one in its size in the United Kingdom, dissipating the goodness of trying to get a red-hot, fully-fledged unit instead of having three. We do not want new buildings, new plaques; we want a first-class health service.

All we seem to have seen in the Ramsey hospital affair is a situation where the accountants have been allowed to rule and the doctors have been allowed to make the agenda for the convenience of themselves and not as far as our commitment and the sincere commitment of – I question no-one in this House – to have a first-class health service.

I do hope that the minister will look again at the staffing of Manndoc and get it up to a realistic level. I believe with the extension of it, it has not been put up to a realistic level; it is an outrage. We threatened that if we had this scenario where we told that there were going to be a load of complaints about sick children and the fact that they would not come out to them, we would put it on a six-month rolling basis and it was like that for about 18 months.

They must realise that they have a social responsibility as well. All I would say is that if we do not sort this issue out over getting the paramedic care and the out-of-hours service care, we will be forced back down the road of having the duplication, the dissipation of the resources going in the right direction as far as the health service is concerned.

I have no problem with not having a new hospital down in the south of the Island and a new hospital in the north of the Island; that is common sense and good resource sense for your health services. But we are going to destroy it if we allow such things as the ambulance service.

May I just finally say, Eaghtyrane, on the issue of Ramsey Cottage Hospital, that I believe that part of the problem we have here today, as far as why we have so much concern with the people of the north of the Island, which we in the east of the Island have lost, is the fact that at one time it was the people's hospital, it was part of the community. When the minister reports back on my motion, I hope that she will bear in mind

the importance of getting the community back involved with the health services, like it used to be.

The President: Hon. member for Peel.

Mrs Hannan: Thank you, Eaghtyrane. I think with the amendment we have actually moved off the area that we are looking at.

If we look at the motion that we had in March, it was for the department to define it's present, medium- and long-term policy for Ramsey Cottage Hospital, consult all medical, charitable and interested groups and the general public in order to modify that policy if necessary and explain the public consultation that took place prior to the decision to commence the alterations to the John Clucas Wing, to establish a national health service dental surgery and report to Tynwald on June 2003'.

That has happened. Now with the amendment we are moving into a slightly different area. We are bringing in the out-of-hours service. If members had not been happy with the motion that was debated and resolved in March, then I am sorry but something has gone wrong. They are now asking for something else when that was what Tynwald asked the Department of Health and Social Security to do.

I do not think that in this day and age we should look simply at a hospital being the area that is providing healthcare. (**A Member:** That is right.) That is clearly not the case.

It is clearly not the case that GPs consider just the main area of healthcare; there are many other areas that support healthcare in the community and that has been developed over the years – something that did not happen in the past – whereby you have got health visitors, you have got district nurses, psychologists, psychiatrists, a whole number of support elements in surgeries in the community looking after primary healthcare.

You have also got – and I am surprised that the member for Ramsey is raising this because his particular qualification is part of primary care – pharmacists. If pharmacists are consulted by people in the community – and I know they are very regularly because people can go into a pharmacist and consult the pharmacist before going to the doctor, and quite often do – we have got a number of pharmacists in here. What surprises me is that when people go to pharmacists in Ramsey they are told to go to MEDS, or Manndoc, as it was called, and they are being told to do that because that is what Mr Singer has told the pharmacists to do. (*Interjections*)

We are seen as, you could say, the movers and the shakers in the community. Members may not think it, but we are seen as people who carry a bit of clout. We are whipping up people to this fear and dread when we have what I, and others, consider to be a fairly good health service. The health service can only be as good as the people that we are caring for. We cannot control what people do or their standard of living, but we can help them when they are ill.

I mentioned decent housing before, and Mr Singer spoke about children. I could come up with all those issues as well. Could I just say to this hon. Court that if a doctor does not visit, and if it is proved that a doctor should have visited, there is a complaints procedure. (**Mrs Crowe:** Absolutely.) (*Interjections*) The complaints procedure should be used. It is clearly displayed in every doctor's surgery and can be used.

I would have thought that, instead of bringing it here, reeling off a whole number of issues, when people felt that they should have had the doctor call or they should have been able to go to the hospital because it was outside that time, that is something for them to complain about, and put in a complaint; they have obviously gone to Mr Singer because he has asked for this information –

Mr Singer: I have not.

Mrs Hannan: – and presumably it is going to go no further because he is not going to bring it to the attention of the Department of Health and Social Security.

I feel that we have a responsibility when we are whipping up fear, concern and generally frightening the public. (**A Member:** Hear, hear.) When Manndoc was set up – and the member for Onchan is not here – I can tell this hon. Court that the older doctors were prepared to continue looking after their patients 24-hours a day. They were happy with that, but were told by the younger doctors 'You won't get doctors to come in future unless there is a Manndoc service.' The older doctors supported the Manndoc service for that simple reason – to support the younger people coming into the profession.

I note some of the comments in this consultation to the effect that these are professional people who should be expected to work out of hours, and that that should be their expectation in this day and age. Well, times have changed. When my husband first started in general practice he was on call every other night and every other weekend and that meant that I was on call every other night and every other weekend to be at the end of a phone to answer queries. Sometimes – not on a regular basis – I would have to phone round the people that he was visiting to find him and give him a message.

Communications have changed considerably since then. We have mobile phones, and people can be out on the moors and the hills and can still be contacted. If they fall they can be contacted. We must recognise that times have changed, and communication is so much easier. Instead of waiting at home for three hours while the doctor is contacted, the patient is in an ambulance or in the main hospital, as Mr Singer has clearly demonstrated to us this afternoon, whether that is in Ramsey Cottage or in Noble's Hospital.

The member for Onchan, who has five years' experience in the health service, clearly stated that if he were having a heart attack he would want the paramedics –

Mrs Crowe: Me too.

Mrs Hannan: – working on him to get him to Noble's. (**Mrs Crowe:** Absolutely.) He clearly stated that; although he also suggested that we should have a hospital in the North and in the South. If we are going to have a hospital in the North and in the South I can see we will have no money for any other service whatsoever.

If I may digress slightly, a speaker from Canada at the Commonwealth Parliamentary Association (CPA) regional conference yesterday said that the cost of their health service was creeping up – it was about a third or more of their income to operate a health service. In future, they will have to make very difficult decisions to be able to provide a health service.

Maybe government could look at how many young people we are supporting through medical school so that they can come back, and whether we could have a reciprocal agreement to educate doctors here for them to come back. We started training nurses again because we felt that we were not getting them. (**A Member:** Hear, hear.) These are issues that we should be considering as part of our global situation.

I come back to Manndoc. I did not want to see the setting up of Manndoc, because I felt that my constituents would lose out. My constituents are almost as far away from the hospital and from Manndoc as Ramsey – almost the same distance. We certainly do not have an ambulance and an ambulance cannot get to us within the eight minutes required.

Mr Singer: That is what you should be fighting for.

Mrs Hannan: I have had *no* complaints about the medical service. Occasionally we get a complaint about the time taken by an ambulance, but that is in a real emergency. Someone died of a heart attack who might have been saved if there had been a paramedic next door. However, it has settled down and people find it very convenient to pick up the phone and talk to a doctor who is there to be consulted instead of saying, 'I will not phone the doctor because he is at home; I will wait till the morning'. That is how people are when they are interfering with what they feel is a person's private time, even when that person is on call.

But they know now that they can pick up the phone and talk to a doctor – it might be to get advice, go in or get a visit. I know of one recent case in which the doctor visited and the patients were extremely grateful, saying 'We didn't think that doctors visited any more.' This is the fear and the consternation that is outside that has been whipped up by certain people here who want to whip it up for a political high.

Mr Earnshaw: Well said, Hazel.

Mrs Crowe: Yes.

Mrs Hannan: We should concentrate on what is good about the service. (**Mrs Crowe:** Absolutely.)

Although the document has been criticised by the department, it clearly spells out the policy that was supported by Tynwald. We have taken 11 or 12 years to get round to it, but that was expected over that time.

Mrs Crowe: Like waste charges.

Mrs Hannan: We ought to recognise what we approve. Sometimes we approve policies, unlike something else and some other things that happen, but we do approve policies and that is what has happened there.

I am also surprised at the comments made about people in Ramsey not having cars. Doctors do visit Ramsey; they visit Ramsey from the MEDS service, the medical emergency doctors service – it cannot be called Manndoc anymore because that is a private company name, but it is the emergency service. Doctors do visit and, as I have said before, if they do not visit, there is a complaints procedure.

The member for Ramsey suggested that there was no policy because of the drugs and alcohol issue, with the Council of Ministers. I suggest to this hon. Court that the health service and the social security department are no different from all other departments – and almost everyone in this hon. Court is in a department. They, and we, have to operate within the budgets. (**Mrs Crowe:** Absolutely.)

We are not a wealthy country. Members might think that we are extremely wealthy and that we can afford whatever we wish – we cannot. A question was asked this morning about autism initiatives. Ideally, we would like to support that but we have other problems that have to be financed. It is not easy to make these difficult choices. But from time to time we have to make difficult choices.

All government departments have policies that they wish to follow, and I can tell you that the minister has a long list of what she would like to support from each of the divisions within her department, whether it is improving support for social security, whether it is social services which have a need right the way across the board or whether it is the health service. I think we have to remember that when we are voting on something such as this.

There is something that I think should be pointed out about the long list of complaints received by Mr Singer. We are not at the end of the phone when a patient phones a doctor. When a doctor receives information from someone who rings up he takes a history and also makes a judgement; we are not there to make judgements (**A Member:** Hear, hear.); we are here to make policy. Do people report these issues to Mr Singer because he has asked for them? I suggest that he has.

Mr Singer: They came and told me.

Mrs Hannan: At the end of that, however, we cannot decide what was told to the doctor and the history and the judgement that was made at that particular time.

What concerns me is that we have gone over into this issue of what Ramsey Cottage Hospital is about and what the out-of-hours service is about. That has been brought about by the amendment. As I said initially, members were obviously dissatisfied with the March motion that was resolved to go to the department to be considered.

That consultation has taken place and members have a copy of it; the policy is spelt out in it and it should not be denigrated because of that. Members may not like the definitions in it, but it spells out what has been resolved by the policy.

Things do change from time to time, and I put it to this hon. Court that if there had been a march about the out-of-hours service, I could honestly see there being a march about the lack of dental cover in Ramsey. The Department of Health and Social Security was proactive in trying to solve it by developing a dental service in Ramsey under the NHS. That should be recognised.

Has this happened in Douglas? I do not think that members recognise the development in policy that there has been. I put it to this hon. Court that if there was not concern about the out-of-hours service – and we remember people's concerns at election time – there were concerns about lack of dental cover and about dentists going private. We have tried to put in a dental service that continues under the NHS. I hope that members will recognise those issues when considering this matter.

It has been resolved by the department and the Council of Ministers that there should be an independent assessment of what is being done. Alongside that, we all ought to consult our people, but not whip them up and put the fear of God into them because there is no doctor at the end of their road.

There should be a full assessment of what has gone on at Ramsey Cottage Hospital so that we can keep the service until 10 o'clock at night. I do not have that in my constituency and neither do other members.

Some members do not even have a GP practice in their constituencies. We should be looking at day-to-day health cover in other areas before we start putting in services that are wanted but which may not be in the best place. At the moment there are not the doctors for us to employ.

I hope that members will support the motion as moved by the minister, because it is the way forward. I regret that the department did not respond, but it was not asked to respond. I do not see how you can support the amendment if the department's response was not asked for, no matter how much you may regret that.

Members ought to look at the evidence that doctors from the GP practice held a surgery in the hospital on a Sunday morning for anybody to call in. I am sure that every community would like such provision. There is now a nurse-led service, which needs to be recognised, but it was a service that was developed over time by the GPs to suit them and now they have withdrawn. It is important that we remember that.

Somebody says in the communications and in the consultation that GPs have withdrawn, but they should not be blamed. It is the DHSS that should be blamed. We do not have doctors up our sleeve to pull out to fill a service that was covered by eight or nine GPs. We could not possibly cover out-of-hours service, unless we reduced the service in other areas, with the number of GPs that we have.

Also, before I finish, I would put it to this hon. Court that to get doctors just to work out of hours from 6 o'clock until 8 o'clock in the morning and to do weekends would be very difficult. Not many people in this day and age want to work throughout the night and every weekend. You will not get someone who has been qualified for nine years to do that sort of cover. Therefore I will be supporting the minister. Thank you, Eaghtyrane.

The President: Hon. member for Ramsey, Mr Bell.

Mr Bell: Thank you, Mr President. Frankly, sitting through this debate is a very sad experience. I wonder whether the time has come for us to strip away a lot of the rhetoric and refocus on the nub of the problem.

I am not going to go over the Ramsey argument; that has been well aired by my colleague and the member of Council. However, the longer this debate goes on, not just in this chamber but in Ramsey and the north of the Island, the more it undermines people's faith and confidence in the health service generally. (**Mrs Crowe:** Absolutely.) It is rippling out from that core, and there are issues being raised with me now that in 20 years I have never heard raised before because people have been quite happy with what is going on.

In the heat of the debate we also seem to have forgotten that allowing for some of the problems we have from time to time, the Isle of Man has a health service comparable with anywhere in the British Isles and I am sure, further afield. (**Several Members:** Hear, hear.) Let us not lose sight of the fact that the Isle of Man puts £100 million-plus a year into the health services on the Island. Although we are a small community of only 76,000 people we have a health service that we can in the main be proud of.

My concern in the debate is that in many ways both sides are right and both sides are wrong. If we are not careful there is a danger that both sides will retreat to the bunkers and we will have trench warfare and that would undermine everything we are all committed to.

I believe at the outset that perhaps the department was caught wrong-footed when the doctors made their decision to withdraw from the contract –

A Member: I am sure it was.

Mr Bell: I think that has clearly come out. Where the department has been left on the wrong foot and where I have severely criticised it in the past is that,

bearing in mind the circumstances, it was not upfront and did not explain to the people of Ramsey in particular precisely what was happening, why it was happening and what the implications would be.

Although the vast majority of people in Ramsey would not have been happy they would have understood had all the details and all the background information been given to them. I do not believe we would have had the public march and feelings would not be at boiling point, which they are in some cases at the moment.

I am not necessarily blaming the minister for this, but there are areas of her department in which she has not been well served. However, from the outset the department has left the health services on the back foot and has so far, for reasons best known to itself, not yet gained the initiative in restoring the confidence of the people in the new process.

There is no question that the people of Ramsey and the north of the Island believe that the changes have reduced the quality of primary healthcare there and nothing will change that. This is not simply rabble-rousers or extremists whipping up the debate; this is the general feeling among rational people who ordinarily would not even comment on this sort of thing.

I am getting responses now from people who have never been critical of government and have never been critical of the health services. Therefore I urge the hon. minister on your side as well as on the other side to put aside the rhetoric. Put aside the defensive attitude and recognise the very real fears – for whatever reason – that exist in the minds of many people, particularly older people in Ramsey and the north of the Island. Start to make positive gestures to rebuild the links to the community again.

I am not apportioning blame, but damage is undoubtedly being done and it is the job of the department to reassure people in Ramsey and the North that it is listening to them. It must recognise the genuine concerns that have been expressed by many in the North and it must respond in a far more positive way than it seems to be responding at present.

Perhaps a review of the arrangements as outlined in the department's document is one way forward; but the impression that the public is gaining from this is that it is being put off for another six months – another six months of procrastination. There is a feeling that the department hopes that the people will eventually lose interest and it can carry on as it is doing at present.

I urge the hon. minister and her department to try to dispel those fears. If the motion is carried and we have an independent inquiry into the quality of our services we must reassure people that it is a genuine attempt to assess what is required to repair the damage that has been done and to set the primary healthcare facilities in Ramsey and the north of the Island back on an even keel and restore them to the quality that Ramsey is used to.

I have heard the Ramsey doctors say that the Isle of Man is very well off with the Manndoc system and

that if we were a similar sized community in the United Kingdom there would be one third of a doctor available. That may be the case, but in this instance we should not be comparing ourselves to the United Kingdom. (**A Member:** Hear, hear.)

If that is true, we have one doctor for nearly a quarter of a million people. We certainly do not want to be comparing ourselves to that; therefore using the UK as a yardstick for this exercise is not the most helpful way forward. We should be looking at what is appropriate for the Isle of Man.

On the other hand, we cannot continually chant the mantra, 'Restore the previous service; tell the doctors to go back to work and everything will be fine again.' There is a real problem with the doctors. We cannot magic doctors out of thin air; they have to be trained and persuaded to come to the Island; they may have to be persuaded to take up new contracts. There may be an argument for restructuring the relationship between Ramsey Cottage Hospital and Noble's Hospital so that the doctors are included altogether.

I do not know whether that is the way forward, but we have to recognise that this problem will not be resolved by florid rhetoric and shouting from the rooftops. I urge hon. members on both sides to take the heat out of the debate and focus on the nub of the problem: the people of Ramsey and of the North simply want the quality of their primary healthcare restored to what it was before.

We do not want this aggression on either side. No one wants this confrontation, but we need to be convinced that the department is genuine in its desire to listen to and respond to the people of Ramsey and to find or to attempt to find a genuine solution to the problem.

If this situation was in Douglas – and I hate to throw in these comparisons again – could we honestly say that the people of Douglas would not have reacted in the same way if the quality of their healthcare at Noble's Hospital was suddenly removed? Hon. members would be on their feet saying the same thing here.

It is not an easy task. We must recognise that the health services are changing. Substantial change is taking place in the United Kingdom, and inevitably the Isle of Man will feel some of the backwash. We must accept that what we have been used to for generations is changing. Medical treatments are changing, surgery is changing and doctors' attitudes are changing; everything is changing, and we have to recognise that the Isle of Man must change too.

However, we must make a genuine attempt to explain to the people what those changes are, why they are coming about and how we intend to adapt the new health service to them. As I say, Mr President, I strongly believe that we have not been doing that; that has been missing from this debate, and there is a big job to be done.

Without going into all the issues again, I simply make a heartfelt plea on behalf of the people of Ramsey who are genuinely frightened by what is going on. They are concerned that the support mechanism

that they have always believed in may no longer be there, and certainly not in a form that they can recognise.

I urge the hon. minister to recognise that. She should – not necessarily on the basis of the debate today – take the message back to her department to reconnect with the people of Ramsey, to take onboard their concerns fully and for the department to do its very best to recognise and allay those concerns.

On the other side – and I include myself in this – we need to cool the rhetoric to a certain extent to give the department a chance to find a solution. I do not have the answer myself, but I would like to see the service restored to where it was. If we go back to the amendment, 24-hour cover needs to be looked at seriously, but the department must be allowed time, given that we have gone this far.

We cannot turn the clock back; we are where we are. The department needs time to drill down and find a lasting solution to this problem, which, I have to say hon. members, will be of benefit to Ramsey and to other parts of the Island as well.

If the support for Ramsey is taken away and we are thrown in with the rest of the Island as the Manndoc system is at present, the available service to the rest of the Island will be diluted because there will be another 20,000 people expecting to be served by the same doctor. If we can resolve the issue in Ramsey it will help the whole Island, not just Ramsey and the Ramsey Cottage Hospital.

Mr President, I appeal to both sides to cool it a bit and to recognise each other's genuine concerns. Let us work to find a solution.

The President: Hon. member for Douglas North, Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane. I was not going to contribute to the debate because I thought it would be fairly well placed by the hon. members Mrs Craine and Mr Bell and certainly the hon. member of Council. However, the record needs to be put straight a little.

The first thing is the presentation by the minister. Hon. members should be wary of the technical detail in the presentation. Do not be put off by it and do not be frightened by it. The nub of the problem is very simple and straightforward and the amendment is worth supporting.

I will certainly be supporting the amendment by the hon. member of Council, Mr Singer, and the hon. member for Ramsey, Mr Bell, has put it as eloquently as it can be put, playing down the middle and trying to pull both sides together. There are real issues here; do not let them be clouded by technical detail and pieces of a jigsaw. If you do this there will be dozens of other areas affected and this budget will be affected by that budget and so on and so forth. There is a real issue that must be addressed. We, as responsible elected members, should think about this very carefully.

I have been appalled by some of the rhetoric that I have heard in this debate. Some hon. members would

be justifiably insulted by some of the phrases that were used. This carry-on about whipping up public opinion and canvassing, ringing round people to see if they have had bad experiences; all I can do is add a rebuttal to that in my own experience as a health service manager.

A Member: No one said that.

Mr Henderson: Certainly in my five years as an elected member of this hon. Court I have not needed to go round canvassing people's problems. They ring me up, and I am sure that the hon. member of Council, Mr Singer, has had the same experiences. There was no need for that kind of rhetoric.

On the issue of doctors being on the end of telephones, I can tell this hon. Court that I have been a night manager of a busy hospital and have been on the end of a telephone on call. The last thing you would do if you have a ward sister or charge nurse ringing you up with a problem is to listen to their assessment over the phone and make a final judgement without going to have a look. That doubt will always be there; it is better to be safe than sorry.

That is what I did. I can certainly inform this hon. Court that if a nurse failed to respond to a telephone call in one of the instances that Mr Singer referred to this afternoon, I have no hesitation whatsoever in saying that the senior officials in the department would have disciplined that nurse or myself the following day. I have seen such things happen.

There was a clear pattern in Mr Singer's presentation; there was no one-off ad hoc situation. It was clearly presented, unbiased and tried to highlight a problem. That turns us back to the argument that the hon. Treasury minister has just advanced. There is a problem that we must solve, and it does not concern just the north of the Island either.

My final point, Eaghtyrane, is that this is a small Island. I disagree with the hon. member for Peel. We are doing very well at the minute, and because of that we can produce our own quality Isle of Man responses to these situations. We do not always have to mimic the UK; we can do our own thing. We have done it before to a very high standard. We have launched ourselves on to the world stage with some of the things that we have done and some of the services that we have been able to provide. We can do the same thing here.

The President: Hon. member for Glenfaba.

Mr Anderson: Thank you, Mr President. There seems to be a bit of confusion here; we are debating item 9, not items 32 and 33. At the sitting of 19 March 2003, the motion moved by the hon. member for Ramsey, Mr Singer, asked that the department of health " (1) define its present, medium and long-term policy for Ramsey Cottage Hospital; (2) consult with all medical, charitable and interested groups and the general public in order to modify that policy if necessary; (3) explain the public consultation that took

place prior to the decision to commence the alterations to the John Clucas Wing to establish National Health Service dental surgery; and (4) report to Tynwald on (2) above by June 2003."

Unfortunately, the amendment has rather clouded the issue because it has brought in the out-of-hours service, which means that we have had contributions that have not been solely on the Ramsey and Cottage District Hospital. That is what the department is reporting on, so I am not going to talk about the out-of-hours service because that comes later in our order paper.

In relation to the contributions already made, Mr Singer referred to Mr Newbury's letter about a meeting that took place with the league of friends at Ramsey Cottage Hospital earlier in the year. He said that he was surprised by a few of the comments made by Mr Newbury at that meeting. However, it was only a reflection that many of the comments of the League of Friends were repetitive and they were majoring on the out-of-hours service rather than on the consultation that was meant to be taking place on the Ramsey Cottage Hospital.

The department has fulfilled its obligations on that motion in Tynwald in March and has gone on further than that to say that it is prepared to have an outside agency look into Ramsey Cottage Hospital and report its findings. I am sure that when that report comes back it will say that Ramsey Cottage Hospital is a first-class facility and has dedicated staff.

Let us not, however, be under any illusions: it might highlight that there are limitations to what can be achieved in a cottage hospital and members must be aware of that; it is a cottage hospital. We heard reference made to litigation on issues at Ramsey. It is important to realise that the department is responsible for the operations at Ramsey hospital in the larger meaning of the word, and that it must carry out certain procedures only because of the risk element.

To be fair, the inquiry will major on those risks, and it is important that an outside agency comments on those. We hear much about the inadequacies of the out-of-hours service, but we have not had much comment about the inadequacies of the running of the cottage hospital itself.

I have every confidence that an independent inquiry will conclude that the department is running the hospital responsibly. Far from scaling down the operations at Ramsey, appendix 1 on page 7 of the department's document clearly shows the firm commitment of the department to expanding Ramsey.

We can see that the gross expenditure has increased from £3.2 million in 2001 to £3.4 million in 2001-02 and £3.6 million in 2002-03. That is an increased investment over and above inflation; far from scaling down services at Ramsey, the department is looking to enhance them.

The report looks at the John Clucas Wing. Hon. members will notice that the complaints about the lack of dental services in the North have suddenly dropped off as a result of the proactive approach of the department. The previous use of the John Clucas Wing

for patients recovering from minor operations was quite negligible, and those patients have been accommodated in other parts of the hospital.

Despite what we were told, there has not been a reduction of operations as a result and, in fact, the department has put something in place for Ramsey people who previously had no option but to go private for dental services.

Mr President, I do not want to go over the ground that other hon. members have covered, but I implore this hon. Court to accept the department's recommendations and accept the inquiry.

The President: Mr Speaker.

The Speaker: Thank you, Mr President. None of us can doubt that there is genuine public concern in Ramsey and parts of the north of the Island over the situation as they see it and perceive it. That is straightforward and we all recognise and acknowledge it.

The minister and the Chief Minister recognise that concerns are being expressed, but I am a bit confused. I am not a member of the DHSS, nor am I a member for the north of the Island; but the motion is straightforward. We must also acknowledge that in March 2003 the department was asked to do a virtually impossible task in two months, because that is the realistic timescale for a report to be put together and to get to the floor of Tynwald in June – a two-month gap.

Therefore we have a brief report that attempts to respond to the points raised in the motion of 19th March; it does that by enclosing an appendix that covers those points. From that point of view, and accepting that, in the minister's view, the basic report was not well presented and could have been presented better, we, as Tynwald Court gave it a very short period of time.

The motion is straightforward. I am surprised to some degree at the amendment from the hon. member of Council, Mr Singer, which is supported by certainly one member for Ramsey. I presume from the comments of the other member for Ramsey that the amendment effectively says that we should do nothing and express the opinion that we are not happy with what the DHSS has done.

Where does that get us? It certainly does not help the people of Ramsey. It certainly does not help if we want to identify any further problems with the community services in Ramsey and presumably the rest of the Island.

If the department is saying that there is a problem, and they are aware that there is concern, then let us have an independent external report to look at the matters laid out in bullet points and go back to the 1991 review to see whether or not we have got it wrong, because times have changed and we should be moving forward in a different way.

I cannot see how anybody can say that we do not want that. Mr Singer's amendment effectively says that that is what we want, and I just do not see the logic to that, with respect. Quite clearly, if the members for

Ramsey and the hon. member of Council, Mr Singer, who used to represent that constituency, want somebody to find out how big the problem is – not the out of hours service, but the actual community facilities in the north of the Island, which have been based in Ramsey – they cannot support the amendment because the amendment shelves everything.

All I would say, Mr President, is that I am certainly not supporting the amendment. I am certainly supporting the motion, because at least the motion says to the DHSS that it should appoint somebody external to look at the whole situation and come back and report to Tynwald by January 2004. However you look at it, that has to be better than what is being proposed by the amendment. (**A Member:** Hear, hear.) I would hope that members support the motion because quite honestly if you do not, you go nowhere.

The President: Hon. member for Rushen, Mr Rimington.

Mr Rimington: Thank you, Mr President. I would like to thank the last speaker for his comments, which forestalled some of mine in that respect. I read the consultative document on Ramsey Cottage Hospital and, admittedly, I had not paid that much attention to what was provided at Ramsey Cottage Hospital prior to this particular issue. I read it and I thought, lucky Ramsey, you have got a very good community facility in Ramsey. Look at the activity data and you have still got it. It is still active and it is going ahead, and there is nothing in here that indicates that it is being chopped away. (**A Member:** Exactly.) That is marvellous in these days of centralisation of acute services. You have got away with it. You have kept on to that local facility that everybody else would be really jealous of. (**A Member:** Absolutely.) I do not think that you actually appreciate how lucky you are.

I hate to bring in something from the UK because I might get shot down for mentioning it, but it is an issue that has not yet been resolved. I read in the press some time ago that the Hampshire health authority or trust or whatever it is termed now, was considering closing the accident and emergency unit on the Isle of Wight, which is separated as we know by water and has a population of 120,000. Here we are discussing what a wonderful facility you have in Ramsey and what improvements might be made to it.

Obviously the Isle of Wight and Hampshire is a different issue, but it just shows the extent of the problems that there are elsewhere in providing health services to populations considerably larger than the whole of the Isle of Man. On the Isle of Man we have got this fantastic facility in the North, we have got a fantastic facility in the old Noble's Hospital, now going into the new Noble's and we have got pretty good primary health care throughout the Isle of Man.

As the hon. member, Mr Speaker, has mentioned, if you supported the amendment, you are just putting up a lame protest and you are going nowhere. People do want that good facility up in the North to be

reviewed and possibly made even better, which was what the amendment was all about.

I might get shot down for it again, but I echo some of the comments by the hon. member for Peel: this issue has been whipped up. Yes, there are real issues to do with the withdrawal of the doctors from the 24 hour service; yes, there are management issues to be confronted and dealt with; but my impression looking at it from outside was that here was a handy little issue to whip up public opinion by what were in the past apolitical bodies, but which have become slightly more political.

One of the targets – and it has been clearly expressed by several people over recent months – was the health minister herself. It was a deliberate opportunity to have a crack, and it has been a consistent theme on and off ever since I joined this hon. Court.

A Member: That is true.

Mr Rimington: I find that aspect disgusting. Yes, there are serious issues to do with the withdrawal of the GPs that must be addressed; there are strong political issues from the community about the level of service that we have and what we can afford, given that if you are piling more money in one place, you have got to take it out of somewhere else. However, that has been exaggerated.

Yes, there were 2,000 people on the street, and yes, there was a large number of people in a public meeting, but was that spontaneous, I ask? To what extent had it gradually been ratcheted up for what I consider to be devious political purposes?

We have to go with the main motion: that is the only way forward. The amendment is designed as a hijack; the issues that are in the amendment are on the order paper later on and can be properly discussed and addressed there.

The department has quite clearly met its brief. We can see that on 28th April it produced a document and had until 23rd May to respond so that it could make a presentation to this June Tynwald. Perhaps if the hon. member had wished for a serious exercise to take place, then a proper length of consultation should have taken place.

Everybody in this hon. Court is aware of the mechanisms of Tynwald and how long it takes to go through these processes. To have four weeks for consultation on this issue rendered the whole process meaningless.

The President: Hon. member for Garff, Mr Rodan.

Mr Rodan: The job of government is to provide public services – that was said earlier today in this session. For obvious reasons, one of the things that the public care passionately about is our health provision. They care passionately for the fact that they have a national health service free at the point of delivery, which has been built up for over 50 years and which

has evolved into a high quality public service paid for out of their taxes. Rightly, the public get concerned and they get passionate when they perceive that the level of care to which they have been used to over the years becomes threatened.

An old cliché, one that I never believed, but which was often said about the UK health service, was that it was the envy of the rest of the world. Why it should have aroused envy on the part of other countries I have never been quite clear about, when the levels of health care in other countries have been as good and, today, are superior. However, what was meant by that was the fact that it was publicly funded and it was a service to which people had entitlement and was there as the safety net.

As representatives of the public we become – or ought to become – closely attuned to the way the public think, and reflect that in our policy making. The longer we do this job as elected representatives, the more we become attuned to the way the public perceives the levels of service and health care to which they have become used.

As a representative who has constituents in the northern part of my constituency who are concerned, I readily accept and understand that their fears are real and their concerns are genuine. What they perceive is that the level of service and health care to which they have become used over the years is no longer at that same level.

Of course, this is all about the unique way in the Island that people in Ramsey and the North have become accustomed to the level of care from their GPs. In the Isle of Man there are two ways in which patients receive medical care: from their GPs and by way of hospital care at our acute general hospital.

Similarly, in an out of hours situation, patients in the Isle of Man have received care from their GPs, either through home visits from their own practice on a rota basis, or by giving advice on the end of a telephone. Manndoc superseded that service, and was a more centrally organised system in which GPs visited patients at home or gave telephone advice. Latterly, there has been a DHSS emergency service in which doctors visit at home or give telephone advice. The alternative to that is an accident and emergency service at the Island's acute general hospital – that is the system.

In Ramsey and in the North, patients who have been with the Ramsey group practice have over the years become accustomed to the very fortunate situation of enjoying out of hours primary care from their GPs, not just at home but in a hospital setting. That is a unique situation – to have a hospital close at hand attended upon by their tried and trusted GPs, and not to have to travel to the Island's acute general hospital.

Over the years the cottage hospital in Ramsey has evolved some of the features of an acute general hospital, in that while it does not have an accident and emergency department as such, it has a minor injuries unit that has evolved and which has been catered for by the Ramsey practice of GPs, and it is the

availability of this aspect of primary health care which other parts of the Island have not necessarily enjoyed, that has given rise to the concern that because of the changes in the contract, those elements of the cottage hospital are no longer at hand.

That is why I say that it is understandable that these concerns, which are real and genuine, should be acutely felt, and public representatives have every right to give voice to those concerns. The way we deal with them should be to put the matter into perspective, to have an external revisit and an evaluation of the levels of service and to try to match perception with reality.

The cottage hospital has offered a good service over many years. There is evidence that it is there to stay, and that it will continue to offer a good service. It is regrettable that those whom the facility was designed to cater for have a lack of confidence in that service.

Mr Rodan: It is incumbent upon the Department of Health and Social Security to carry forward the confidence of the public. Although the nature of the service and care to which the public has become accustomed and with which it is comfortable must change, because everything changes over time when you are dealing with public services, the department is placed to acknowledge those concerns and deal with those changes. Therefore, although the report is short, it contains the most crucial recommendation that an external independent valuation will take place. There is nothing like an outside pair of eyes to see whether we are getting things right or wrong. The department is making a crucial recommendation, and we would be well advised to go with it.

The President: Minister to reply.

Mrs Christian: Thank you, Mr President. First, I thank members for the very measured way in which they have responded to this motion for the most part. As the hon. member for Ramsey, Mr Bell, said, there is nothing I want more than to take the heat out of this situation and to get everyone looking at it dispassionately. When matters raise passions it is important that we look at them logically if we are going to make progress.

There have been references to the Manndoc service, the out-of-hours emergency service and the Ramsey Cottage Hospital service. The motion before us deals with the policy on Ramsey Cottage Hospital, and it has been clearly illustrated by various comments and by the consultative document, which set out the history and the current provision for a very particular reason. There has been some criticism that we have simply set out the history and not very much more. However, it has been set out like that to illustrate that the policies of the department have been more than fulfilled in delivering at Ramsey what this hon. Court endorsed.

A wide range of services available is available and I am conscious that the one issue in relation to Ramsey Cottage Hospital that has created such concern is the

lack of medical cover between 6.00 pm and the morning and also at weekends. Members can justifiably say that there has been a reduction in the availability of services at Ramsey recently. However, I am not sure how the department wins on this matter.

The hon. mover of the motion stated that the department is abdicating its responsibility in our proposals. I do not accept that. We could have progressed those issues ourselves, but we have proposed that an independent investigation be carried out in order to convince other people, if such convincing is necessary, that the department does not sway the outcome. We have not abdicated our responsibility, and we wish to ensure that everyone has confidence in the outcome of such an investigation. If we had undertaken it ourselves, I am sure that certain voices in this Court would say that we had influenced the results. Therefore that is why we are going down the independent route.

With regard to the way forward and the consultation document, the hon. member, Mr Singer, also commented on the letter of the League of Friends and the fact that his further response was not contained in the pack. I do not think there was any deliberate intention to fail to present the views of the League of Friends to the hon. Court. However, the letter that the hon. member has circulated gives a reasonable illustration of the problems in getting our messages across to the public.

In the second paragraph the hon. member states – and this is an illustration of people not grasping the issues – ‘I am rather surprised that you omitted the important comment we made which was to discuss with the doctors an out-of-hours service duty of one session in 20 days rather than 1 in 40 as at present.’ That is a basic misunderstanding of what the service provides. Doctors cover one session in 40, and there are more than 40 sessions in those numbers of days. There are 18 sessions a week, which, in effect, doubles already what the hon. member expects them to do. Such details are significant if people are to understand the issues that have to be addressed.

I am fully aware of the concerns raised in Ramsey, and I have said that the department is seeking ways ahead. In my introductory remarks I said that many people have made suggestions as to the way in which we might proceed. The hon. mover suggested taking the services away from GPs and involving the hospital staff more. All those issues can, and should, be explored, but they cannot instantly produce a response that will deliver 24-hour medical cover at Ramsey. We are doing our best to fill that gap with a very high-quality nurse-led service, which has been audited and found to be of excellent quality, and we will extend that as far as we can.

Comment has also been made about instances that were not properly served by the health services. There were references to ambulances taking people to Douglas for two stitches, and I agree that that is unsatisfactory. However, we have to resolve those issues by managing the services that we have. If we can get our night service extended with that nurse-led

cover, it can deal perfectly well with two stitches. We are working on those issues. Where individual people have had a bad experience, there is no point in simply coming to this Court to announce them to the world. It would be more constructive to report them to the department so that we can explore and take action where appropriate and necessary. At the same time, I acknowledge the contribution made by my hon. colleague, the member for Peel, Mrs Hannan, who illustrates that in any circumstance there are always two points of view to be considered.

The question that has been raised about the views of other services such as the nurses' views and the ambulance service's views are impinging to some degree on the Manndoc area. However, I do not particularly want to get into that matter under this heading. I deny that the department has a fixation with the new hospital. We have been very focused on delivering that new facility, but I have said it before and I will say it again that we recognise that we now need to move our attention to the primary care area, and we are doing that.

The seconder to the motion, the member for Ramsey, Mrs Craine, commented that, 'They want back a 24-hour accident and emergency unit.' Again this is the colloquial use of the words that the public uses, but the policy for Ramsey since 1991 has been that there should be a minor injuries unit at Ramsey, not an accident and emergency department. They are very different things, and they have very precise meanings in health service terms. We accept that Ramsey would prefer to have a minor injuries unit for 24 hours a day, and we are working towards that.

Comment has also been made about using facilities at Ramsey in the best interests of the patient. Decisions taken by the department on what happens at Ramsey and what will be brought to Noble's acute Hospital are made in line with protocols that deliver what is best for the patient. That is the prime mover in all decisions.

Sometimes the public may perceive that it is better to go into Ramsey because it is closer for them, but there are circumstances when it is better for the patient to make that extra journey to Douglas where the facilities for their condition are more appropriate. I hope that members will support the motion and take a new look at the policy for Ramsey. If we are seeking to restore medical cover, if that is what the public want and it could be achieved, we want to ensure that we do not merely tinker with it and put in something that might not work in the long term. That is why we have proposed a review of the whole service and policy on the community facility at Ramsey, and we seek your support to do that. I do not want to go on at great length with individual contributions, but I feel that many contributions have been very balanced. I am anxious that we all sit down and examine the difficulty in the detail, because there is always the devil in the detail, and find a way forward for Ramsey that will meet the needs of the people in its provision as a community hospital.

For the reasons that have been clearly explained by the Speaker, I suggest that no one support the amendment because it takes the Court nowhere in what it wants to see. Perhaps it would not influence the department because we would still continue to explore what is best for Ramsey and how we can restore or produce services that will meet the needs of the community. However, if the Court wants us to report to it, please support the motion as tabled and reject an amendment that totally undermines the original intention to examine the policy for Ramsey and confines itself only to the out-of-hours GP service. Thank you, Mr President.

The President: Hon. members, the motion I put to the Court is that printed at item 9 on the order paper, and to that you have the amendment circulated in the name of the hon. member of Council, Mr Singer. I propose to put the amendment to you first. Those in favour of the amendment please say aye; against, no. The noes have it.

A division was called for and voting resulted as follows:

In the Keys –

For: Mr Houghton, Mr Henderson, Mrs Cannell and Mrs Craine – 4

Against: Mr Anderson, Mr Rodan, Mr Quayle, Mr Rimington, Mr Gawne, Mr Cretney, Mr Duggan, Mr Braidwood, Mr Shimmin, Mrs Hannan, Mr Karran, Mr Corkill, Mr Earnshaw, Capt. Douglas and the Speaker – 15

The Speaker: Mr President, the amendment fails to carry in the House of Keys, with 4 votes being cast in favour and 15 votes against.

In the Council –

For: Mr Singer, Mr Delaney – 2

Against: Mr Lowey, Mr Kniveton, Mrs Christian, Mr Gelling and Mrs Crowe – 5

The President: In the Council, hon. members, with 2 votes in favour and 5 votes against, the amendment therefore fails to carry. I put to you the motion as printed at item 9 on the order paper. Will those in favour please say aye; against, no. The ayes have it.

A division was called for and voting resulted as follows:

In the Keys –

For: Mr Anderson, Mr Rodan, Mr Quayle, Mr Rimington, Mr Gawne, Mr Houghton,

*Mr Henderson, Mr Cretney, Mr Duggan,
Mr Braidwood, Mrs Cannell, Mr Shimmin,
Mrs Hannan, Mrs Craine, Mr Karran Mr Corkill,
Mr Earnshaw, Capt. Douglas and the
Speaker – 19*

The Speaker: Mr President, the motion carries in the House of Keys with 19 votes in favour and none against.

In the Council –

*For: Mr Lowey, Mr Singer, Mr Kniveton,
Mrs Christian, Mr Gelling, Mrs Crowe – 6*

Against: Mr Delaney. – 1

The President: In the Council, hon. members, with 6 votes in favour and 1 against, the motion therefore carries.

Hon. members, I said earlier this afternoon that I thought an appropriate time this evening to retire would be around 7 o'clock. I think that we have probably reached that point today (**A Member:** Hear, hear.) in which case, hon. members, we will resume our deliberations starting with the unfinished matter of the post office at 10.30 am.

Before you all rush off, at 2.15 pm tomorrow a photograph will be taken of Tynwald Court, as it is likely that this will be last sitting in this Court. Thank you, hon. members.

The Court adjourned at 6.55 pm.
